
English Part



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KEY TO THE ABBREVIATIONS USED

Ans.	The Law and Custom of the Constitution, — Parliament, by Anson, 4th Edition, 1909.
Art.	Article.
B.	Bourinot's Parliamentary Procedure, 3rd Edition, 1903.
Be.	Beauchesne's Parliamentary Rules and Forms, House of Commons of Canada, 2nd Edition, 1927.
Bl.	Blackmore's Speakers' Decisions (1857-1884), 1892.
Bl. Man.	Manual of the Practice, Procedure, and Usage of the House of Assembly of the Province of Australia, by Blackmore, 1885.
B. N. A. A.	British North America Act, 1867.
Bourke	Parliamentary Precedents, by Bourke, 2nd Edition, 1857.
C.	Law and Practice of Legislative Assemblies, by Cushing, 9th Edition, 1874.
c.	chapter.
Camp.	An Introduction to the Procedure of the House of Commons, by Campion, 1st Edition, 1929.
Cf.	Confer.
f.	following.
Hansard.	Parliamentary Debates, House of Commons (England).
J. Leg. Ass.	Journals of the Legislative Assembly of the Province of Quebec.
K.	Keith's Constitutional Laws, 1939.
Lefroy	Canada's Federal System, by Lefroy, 1913.
M.	May's Parliamentary Practice, 13th Edition, 1906.
Man.	Manual of Procedure in the public business of the (British) House of Commons 6th Edition, 1934.
Mell	Manual of Parliamentary Practice, by Mell, Revised Edition, 1876.
mod.	modified.
no., nos.	number, numbers.
p.	page, pages.
R.	Rule of the Standing Orders of the Legislative Assembly as annotated, by Geoffrion, 1915.
Redl.	The Procedure of the House of Commons, by Redlich, 1908.
Reed	Reed's Parliamentary Rules.
Robert	Robert's Rules of Order, 1890.
R. S. Q.	Revised Statutes of Quebec, 1941.
s.	section.
Smith	Digest and Manual of the Rules and Practice of the House of Representatives, by Smith, 7th Edition, 1884.
Todd	Parliamentary Government in England, by Todd, 2nd Edition, 1887.
Todd P. B.	A Treatise of the Proceedings to be adopted in conducting or opposing Private Bills, etc., by Todd, 4th Edition, 1869.
§	Paragraph, paragraphs.

EXPLANATIONS AS TO REFERENCES

References following a text are to the sources of such text, or of part of such text.

Except when otherwise mentioned, Arabic numerals after the title of any work refer to pages of such work.

RULES AND STANDING ORDERS

OF THE

LEGISLATIVE ASSEMBLY

OF THE PROVINCE OF QUEBEC.

PRELIMINARY TITLE.

DECLARATORY AND INTERPRETATIVE PROVISIONS.

CHAPTER I. — DECLARATORY PROVISIONS.

1. — The procedure of the Legislative Assembly of Quebec is regulated:

(1) Partly, by acts and statutes; R. 4 n. 1 part; B. 308; C. no. 777.

(2) Partly, by the present standing orders, which shall not expire with the house having voted them and which shall continue to apply as such as long as they shall not be abrogated or amended on motions after notices; R. 1, 4 n. 1 part; B. 308; Be. no. 2; M. 149; C. no. 777.

(3) Partly, by sessional orders, which may be voted by the house on motions after notices, but whose authority shall expire with the session during which they shall be voted; R. 2, 4 n. 1 part; B. 309; Be. no. 1; M. 150; C. nos. 497, 786; Redl. II, 6.

(4) Partly, by special orders, which may be voted by the house on motions after notices, but whose authority shall be limited to the matters in view whereof they shall be voted; R. 3 and n. 1; M. 150; Redl. II, 8.

(5) Partly, by usages of the house, as resulting from a constant and usual practice, but which shall apply only in cases not provided for by acts or statutes, by the present standing orders, or by sessional or special orders; R. 4 and n. 1, 4; B. 308; Be. nos. 12-3.

(6) Partly, by the forms as followed in the House of Commons of Canada on the 1st day of January, 1904, which shall apply only in cases not otherwise provided for. R. 4.

CHAPTER II. — INTERPRETATIVE PROVISIONS.

2. — In cases of inconsistency between rules deriving from different sources, the following principles shall apply:

(1) Rules as established by acts or statutes shall supersede all other rules; R. 4 n. 2 part; B. 308; Be. no. 8; C. no. 790.

(2) Rules as established by special orders shall supersede, in the matters in view whereof they shall have been voted, all other rules, except those as established by acts or statutes; R. 4 n. 3 part; B. 308; Be. no. 7; C. no. 190.

(3) Rules as established by sessional orders shall supersede all other rules, except those as established by acts or statutes, or by special orders; R. 4 n. 3 part; B. 308; Be. no. 7; C. no. 790.

(4) Rules as established by the present standing orders, unless they reproduce some clauses of an act or statute, shall supersede only usages of the house and forms as followed in the House of Commons of Canada on the 1st day of January, 1904; R. 4 n. 3 part; B. 308; Be. no. 7; C. no. 790.

(5) Usages of the house shall supersede only forms as followed in the House of Commons of Canada on the 1st day of January, 1904. R. 4 part.

3. — If the wording of any rule, as established by the present standing orders, by any sessional order or by a special order, is in itself obscure or ambiguous, or if, by comparing two or more rules as established by the present standing orders, by any sessional order or by a special order, doubts arise as to the meaning of such rules, the house shall be guided by the spirit rather than by the letter thereof. R. 5 mod.; B. 309; Be. no. 11.

4. — In cases of difference between the two texts of a rule, the text that is more conformable to the practice followed prior to the adoption of such rule shall prevail. R. 6.

5. — In the interpretation of the present standing orders, the term "order of the day", when applied to any matter entered upon the agenda paper, shall refer to a matter whose consideration has

been appointed for a particular date. R. 111 § 1 n. 2; Be. no. 199; M. 251; C. nos. 1373, 1398, 1507; Redl. III, 2; Man. no. 40.

TITLE I.

SESSIONS.

CHAPTER I. — OPENING OF SESSIONS.

6. — The house has no power and cannot exercise any power except during sessions of the Legislature. R. 10 n. 1; M. 55-6; C. no. 496.

7. — The house shall meet on the date appointed by any royal proclamation summoning the Legislature for the dispatch of business, unless dispensed from doing so by a new royal proclamation. R. 7 mod.; B. 174-5; M. 54, 56-8; C. no. 447; Redl. II, 51; Camp. 81; Man. no. 1.

8. — 1. A session shall be formally open and the house shall enter upon its business only after an opening speech from the Lieutenant-Governor has been delivered, stating the causes for the summoning of the Legislature. R. 8 § 1; B. 181 n. v; Be. no. 29; M. 55, 170; Redl. II, 51, 59; Todd I, 405-6.

2. The house may, however, proceed to elect a Speaker before the opening speech, if it has been authorized to do so by the Lieutenant-Governor. R. 8 § 2; B. 181 n. v; Be. no. 29; Todd I, 405.

3. During a session, the house may consider other matters than those mentioned in the opening speech, and it is not bound to proceed at once to the consideration of those mentioned therein. R. 8 n. 1; M. 55, 172.

CHAPTER II. — CLOSING OF SESSIONS.

9. — A session shall only be terminated by the prorogation or the dissolution of the Legislature. R. 9; B. 193-4, 197; M. 56, 59-60; C. nos. 495, 503, 516, 525-6; Redl. II, 65-7; Man. nos. 4-5.

10. — 1. The closing of any session shall dissolve all committees appointed by the house, vacate all orders not fully executed, put an end especially to the imprisonment of any person taken in charge by order of the house, and terminate every proceeding pending and every bill not assented to or reserved by the Lieutenant-Governor. R. 10 § 1 and n. 3; B. 160, 195-6; M. 56, 103; C. nos. 519, 917; Redl. II, 66, 196; Camp. 50, 80.

2. It shall not, however, have the effect of nullifying any order to print a document, or any order or address of the house for returns or papers. R. 10 § 2 part; B. 363; Be. no. 824; M. 623.

TITLE II.

THE SPEAKER, THE CHAIRMAN OF COMMITTEES, AND THE OFFICERS OF THE HOUSE.

CHAPTER I. — THE SPEAKER.

SECTION I. — *Election of Speaker.*

11. — The house, on its first assembly after a general election, shall, before the dispatch of any business, proceed to elect a Speaker. R. 11; B. N. A. A. s. 44, 87; Be. no. 15; M. 154; Redl. II, 51; Man. no. 22.

12. — The Speaker shall be chosen from amongst the members then present. R. 12; B. 181, 182 n. w; Be. no. 23; M. 154; Bl. Man. 43.

13. — Every motion for the choosing of a Speaker shall be made in the following form: "That Mr., member for the electoral division of, be elected as Speaker of the house and do take the chair as such." It cannot be amended, and a principal motion shall be made regarding each member proposed as Speaker. R. 13 and n.; B. 182; M. 154-5; Bl. Man. 46.

14. — If only one member is proposed as Speaker, the clerk shall declare such member elected *nomine contradicente*, without any question being put. R. 14; Be. no. 23; M. 154-5; C. no. 220.

15. — 1. If more than one member is proposed as Speaker, the motions shall be jointly debated. R. 15 § 1; M. 155.

2. On the debate being closed, the motion first proposed from the chair shall be put; and, if adopted, the member first proposed shall be declared elected; if rejected, the other motions shall successively be put in the order in which they have been proposed from the chair until one of them is adopted and one of the members proposed as Speaker is accordingly declared elected. R. 15 § 2; B. 182; Be. no. 23; M. 155; C. no. 221.

3. In case of an equality of votes upon a motion, the clerk shall declare it rejected. Be. no. 24.

16. — When elected, the Speaker shall be led to the chair by his proposer and seconder. Standing on the upper step, he shall return his acknowledgments to the house, and thereupon shall sit down in the chair, when the mace shall be laid upon the table. R. 16; B. 182-3; Be. no. 23; M. 155-6; C. nos. 220, 222; Redl. II, 56.

SECTION II. — *Duties of Speaker.*

17. — The Speaker, either in virtue of acts or statutes, either in virtue of the present standing orders, or of sessional or special orders, or in virtue of parliamentary practice, shall exercise various duties, the most important ones being: to open the sittings and announce the closing of the same; to preside the sittings, except when the house is in committee; to preserve order; to enforce the rules; to direct the proceedings; to submit motions; to put questions to the vote; to declare the result of deliberations and votings; to sign, if necessary, the acts, orders and proceedings of the house; to receive messages and other communications that concern the house and to announce them; to communicate orders and resolutions of the house to those whom they concern; to issue warrants; to maintain the privileges of the house, to execute its orders, and to speak on its behalf, declaring its will; to exercise ultimate control over all the offices of the house and to administer the library of the Legislature in conjunction with the Speaker of the Legislative Council. R. 17 and n. 3; B. N. A. A. s. 46, 87; R. S. Q. c. 4 s. 94; B. 279-81; Be. no. 103; M. 66, 189-92, 634; C. nos. 290-4, 316; Redl. II, 140-52; Camp. 50-1.

SECTION III. — *Term of Office of Speaker.*

18. — The Speaker shall be elected for the duration of the Legislature; but he shall continue to exercise his administrative duties, after dissolution, until the date appointed for the meeting of a new Legislature. R. 18; R. S. Q. c. 4 s. 42; M. 156; C. no. 296; Man. no. 22.

SECTION IV. — *Vacancy in Speakership.*

19. — If the office of Speaker becomes vacant prior to the dissolution of the Legislature, no business shall be dispatched by the house before a new Speaker has been elected. R. 19; B.N. A.A. s. 45, 87.

20. — 1. In case of a vacancy in the speakership occurring during a session, the clerk shall forthwith report the same to the house, and the house, being presided over by the clerk, shall forthwith proceed either to adjourn or, if the leader of the Government signifies the pleasure of the Lieutenant-Governor, to elect a new Speaker. R. 20 § 1 and n.; B. 273; Be. nos. 26, 828; M. 157, 197-8; Camp. 77; Man. no. 22.

2. In case of a vacancy occurring during recess, the clerk shall report the same on the opening of the next following session, and the house, before proceeding to elect a new Speaker, shall then wait till it is summoned to the bar of the Legislative Council and is desired by the Lieutenant-Governor to choose a new Speaker. R. 20 § 2 and n.; B. 274; M. 156-7.

21. — In either case, the election of a new Speaker shall be proceeded with in the manner prescribed in section I of this chapter. After the installation of the new Speaker elect, the house shall proceed in conformity with paragraphs (5) and (6) of rule 89, except that the new Speaker shall not lay claim to the rights and privileges of the house. R. 21 and n.; B. 144, 273-4; M. 156-7; C. nos. 313, 536; Bl. Man. 45.

SECTION V. — *Absence of Speaker.*

22. — 1. Whenever the Speaker finds it necessary to absent himself during a sitting, he may call to the chair the Chairman of

committees or, in case of his absence, any other member, without any question being put or any communication to the house. R. 22 § 1; B. 276; M. 195.

2. The Chairman of committees or such member shall then, as Deputy Speaker, perform the duties of Speaker until the adjournment of the house, unless the Speaker previously resumes the chair. R. 22 § 2; R. S. Q. c. 4 s. 41; B. 277; Be. no. 481; M. 194-5; C. no. 315; Redl. II, 169-70; Man. no. 27.

23. — 1. Whenever, at the hour fixed for the opening of a sitting, the Speaker is absent, the mace shall be placed upon the table, the clerk shall inform the house of the absence of the Speaker, and the Chairman of committees shall open the sitting and shall, as Deputy Speaker, perform the duties of Speaker until the next meeting of the house, and so on, from day to day, if the absence of the Speaker continues, until the house shall otherwise order. R. 23 § 1 and n.; R. S. Q. c. 4 s. 41; B. 276; Be. nos. 11, 481-2; M. 194 and n. 2; Redl. II, 169; Man. no. 27.

2. Provided, if the house shall adjourn for more than twenty-four hours, the Deputy Speaker shall continue to perform the duties of Speaker for twenty-four hours only after the adjournment. R. 23 § 2; R. S. Q. c. 4 s. 41; B. 276; Be. no. 481; Redl. II, 170; Man. no. 27.

24. — 1. Whenever the house is, at the hour fixed for the opening of a sitting, informed by the clerk of the absence of both the Speaker and the Chairman of committees, the members present, if a quorum, may at once proceed, without being asked to do so by the Lieutenant-Governor, to elect one of them to act as Speaker for that day only. Otherwise, the house shall thereby stand adjourned to the hour fixed by the standing orders for the opening of the next sitting. R. 24 and n.

2. The Lieutenant-Governor shall not be acquainted with the election of any temporary Speaker. R. 24 n.

CHAPTER II. — THE CHAIRMAN OF COMMITTEES.

SECTION I. — *Election of Chairman of Committees.*

25. — At the first session of any Legislature, as soon as an address has been agreed to in answer to the opening speech and

committees of supply and of ways and means have been appointed, the house shall proceed, on a motion without notice, to elect one of its members as Chairman of committees. R. 25; B. 191; M. 446; Man. no. 24.

26. — If more than one member is proposed, the election of the Chairman of committees shall be as if a Speaker was to be elected. R. 26.

SECTION II. — *Duties of Chairman of Committees.*

27. — **1.** The member elected to serve as Chairman of committees shall, if in his place in the house, take the chair at all committees of the whole house, including committees of supply and of ways and means. R. 27 § 1; B. 518; M. 446; Man. no. 24.

2. He shall also act as Deputy Speaker, and every act done by him in such capacity shall be as effectual and valid as if it was done by the Speaker himself. R. 27 § 2; R. S. Q. c. 4 s. 41; B. 481, 517; Be. no. 481; M. 193, 447; Redl. II, 169; Man. no. 27.

SECTION III. — *Term of Office of Chairman of Committees.*

28. — The Chairman shall continue to act in that capacity until the end of the Legislature. R. 28; B. 518; M. 447; Redl. II, 169; Man. no. 24.

SECTION IV. — *Vacancy in Chairmanship of Committees.*

29. — In case of vacancy in the chairmanship of committees, the house shall proceed forthwith to elect a new Chairman in the manner prescribed by rule 26. R. 29; B. 518.

SECTION V. — *Absence of Chairman of Committees.*

30. — If the Chairman of committees is absent when the house resolves itself into a committee, the Speaker shall, before leaving the chair, appoint any other member to act as Chairman of the committee, without any question being put. R. 30; Be. no. 483; M. 447; Bl. Man. 181.

31. — The Chairman of committee may call on any other member to replace him in the chair, without any question being put. R. 31; Be. no. 483; M. 448; Man. no. 63; Bl. Man. 181.

32. — If, at the hour fixed for the opening of a sitting, the house is informed by the clerk of the likelihood of the continued absence of the Speaker, the house may, on a motion without notice, appoint any other member to act as Chairman of committees during such continued absence. R. 32.

33. — **1.** Any temporary Chairman shall be vested with the same powers as the Chairman of committees. R. 33 § 1.

2. He cannot, however, be replaced in the chair by a member other than the Chairman of committees. Whenever he finds it necessary to absent himself, he may, without any question being put, but after a communication to the committee, make to the Speaker a special report requesting him to appoint another member to act as Chairman. On receiving such a report, the Speaker shall, without any question being put to the house, appoint any other member to act as Chairman of the committee and leave the chair; the committee shall then resume its operations where they have been interrupted. R. 33 § 2 mod.

CHAPTER III. — THE CLERK.

SECTION I. — *Duties of the Clerk.*

34. — The clerk shall act as Chairman of the house until a Speaker is elected, and the usual rules shall then be observed, except that the mace shall lay below the table and that the clerk, when calling upon a member to speak, shall rise and point to him; he shall record all votes and proceedings of the house, as well as all decisions given by the Speaker and having the effect of terminating any process or of laying aside any proceeding mentioned in the votes and proceedings; he shall certify all votes of thanks, all orders and resolutions of the house, as well as all bills and all messages to be carried to the Legislative Council; he shall have the custody of all papers and records of the house; he shall advise the Speaker and the members in regard to questions of order and procedure; he shall have the superintendence of the work to be done in the offices; he shall have the direction and con-

trol over all the staff employed in the offices, subject to such orders as he may receive from the Speaker; he shall execute all orders of the house or see that the same be executed; he shall perform all other duties assigned to him by the rules and orders. R. 34 and n. 7; B. 181, 286 n. o, 283-5; Be. no. 828; M. 197-8; C. nos. 321, 326-8; Man. no. 28; Bl. Man. 53-4.

SECTION II. — *Absence of the Clerk.*

35. — In case of absence of the clerk, his duties shall be performed by the clerk assistant or by any other person appointed by the Speaker. R. 35.

CHAPTER IV. — THE CLERK ASSISTANT.

SECTION I. — *Duties of the Clerk Assistant.*

36. — The clerk assistant shall read all papers to be read to the house; he shall record the proceedings of the committees of the whole house; he shall cause all motions and questions whereof due notice has been given to be prepared; he shall look after the preparation of the daily agenda paper and take notes to that effect during the sitting; he shall sign and forward the addresses and orders for returns and papers; he shall keep a list of all bills, showing the date of their several stages; and, generally, he shall assist the clerk in the performance of his duties. R. 36; B. 284-6; Be. no. 829; Man. no. 29.

SECTION II. — *Absence of the Clerk Assistant.*

37. — In case of absence of the clerk assistant, his duties shall be performed by any person appointed by the Speaker. R. 37.

CHAPTER V. — THE SERGEANT-AT-ARMS.

SECTION I. — *Duties of the Sergeant-at-Arms.*

38. — The sergeant-at-arms shall attend the Speaker with the mace, on entering the house at the opening of a sitting, or leaving the house after an adjournment, or attending the Lieute-

nant-Governor, or going to the bar of the Legislative Council; he shall announce all messengers from the Lieutenant-Governor; he shall preserve order in the galleries and lobbies of the house; he shall execute orders of the house, or of the Speaker; he shall serve process or cause the same to be served and execute all warrants issued by the Speaker and addressed to himself or cause the same to be executed; he may force an entrance in the execution of warrants addressed to him; he shall arrest all persons ordered to be taken into custody; he shall confine in his custody or elsewhere all persons committed by order of the house; he shall give notice of the execution of orders of the house and of warrants of the Speaker; he shall bring to the bar persons in custody to be reprimanded, or examined as witnesses; he shall give notice of persons attending in obedience to orders of the house; he shall stand with the mace at the bar whilst a witness in his custody or in custody of a goaler is examined; he shall report to the house any resistance to orders of the house; he shall acquaint the house with complaints or actions brought against him for acts made in executing orders of the house; he shall be responsible for the safe-keeping of the mace and of the furniture and fittings of the house; and he shall be responsible for the conduct of the messengers and inferior employees, subject to such orders as he may receive from the Speaker and, in the absence of the Speaker, from the clerk. R. 38 and n. 2, 3; B. 278, 290-1; Be. nos. 701, 833; M. 77, 189, 198-9, 534; C. nos. 336-7, 354; Redl. II, 175; Man. no. 30.

SECTION II. — *Absence of the Sergeant-at-Arms.*

39. — In case of absence of the sergeant-at-arms, his duties shall be performed by the deputy sergeant-at-arms, or by any other person appointed by the Speaker. R. 39; M. 199.

TITLE III.

THE MEMBERS.

CHAPTER I. — PLACE OF MEMBERS.

40. — Each member of the house shall be provided with a seat and a desk in the chamber. R. 40; B. 263; Be. no. 52.

41. — The places shall be assigned by the sergeant-at-arms, who shall affix a card with the name of each member to the desk allotted to him. R. 41; B. 263-4; Be. no. 52.

42. — The sergeant-at-arms, when assigning the places, shall allot to the ministers of the Crown the first seats to the right of the Speaker, and to the leading members of the opposition the first seats to the left. R. 42; B. 264; Be. no. 52; M. 176.

CHAPTER II. — ADMISSION OF MEMBERS.

43. — No member can take his seat before a certificate from the clerk of the Crown in chancery of his return has been laid upon the table. R. 43; B. 248.

44. — When two representatives have been returned for the same electoral division, neither of them can sit, or vote, until the house, on a motion after notice, has determined one of them to be duly returned and until the clerk of the Crown in chancery has accordingly amended his certificate in conformity with an order given by the house on a motion without notice. R. 44 and n. 2; B. 247 and n. f; M. 39, 170, 637, 645; C. nos. 134, 240.

45. — **1.** Prior to the day appointed for the assembling of a new Legislature, a certified list of the names of the members elected at the general election shall be delivered to the clerk of the house by the clerk of the Crown in chancery. R. 45 § 1; B. 179; M. 168; C. no. 216; Redl. II, 54; Man. no. 7 and p. 12.

2. When a member has been elected after a general election, a certificate of his return shall be delivered without delay to the clerk of the house by the clerk of the Crown in chancery. R. 45 § 2; B. 248; M. 168; Redl. II, 55; Man. 12.

46. — Every return certificate received from the clerk of the Crown in chancery shall forthwith be laid upon the table by the Speaker, or, in case of vacancy in the speakership, by the clerk. R. 46; B. 248, 251.

CHAPTER III. — TAKING OF THE OATH OF ALLEGIANCE.

47. — 1. Every member of the house, before commencing the performing of his duties, shall take and subscribe the oath of allegiance prescribed by the Constitution of 1867; but any member not sworn in as required may be appointed by the house as a member of any committee, or as a delegate to any conference of both houses. R. 47 and n. 1; B. 250 and n. *o*; C. no. 1863; Man. no. 9.

2. Every member of the house shall again take and subscribe the oath of allegiance hereinbefore prescribed if the demise of the Crown occurs either by the death or by the abdication of the Sovereign. M. 170; Man. no. 7.

48. — On the day appointed for the assembling of a new Legislature or at the first sitting of the house after the accession of a new Sovereign to the throne, at the hour of eleven in the morning, the commissioners appointed for administering the oath of allegiance to the members shall attend at the table of the house and proceed to swear in the members as they present themselves. R. 48; B. 179-180; Be. no. 19; M. 170; Man. no. 7.

49. — Members not sworn in at the table of the house on the day of the first assembling of a new Legislature, or on the first sitting day after the accession of a new Sovereign to the throne, and members returned after such days, shall take the oath in the clerk's office. R. 49; B. 248; M. 170; Man. no. 7.

50. — The oath of allegiance to be taken by the members shall be subscribed on a roll to be kept by the clerk. R. 50; B. 248.

51. — No member shall be allowed to subscribe the oath of allegiance on the roll before a certificate of his return has been received from the clerk of the Crown in chancery. R. 51; B. 248 n. *k*; M. 168-9.

CHAPTER IV. — INTRODUCTION OF NEW MEMBERS.

52. — 1. A member returned after a general election shall be introduced to the house before taking his seat, unless his election has been declared before the first assembling of the Legislature. R. 52 § 1; B. 249-51; M. 169-70; C. no. 470.

2. A sworn in new member may, however, take part in the election of a Speaker, if a certificate of his return has been laid upon the table. But, when the Speaker is elected, such member cannot sit without having been first introduced, unless he was himself elected as Speaker. R. 52 § 2 mod.; B. 251.

53. — New members held by the courts to have been legally returned at a general election shall take their seats without being introduced. R. 53; B. 249 n. l; M. 170.

54. — Every new member desiring to be introduced shall enter the chamber and be introduced to the table between two members who have previously taken their seats. He shall then be presented by one of them in the following words: "Mr. Speaker, I have the honour to present to you Mr....., member elect for the electoral division of....., who has taken and subscribed on the roll the oath required by law and now claims the right to take his seat." The new member, if invited by the Speaker to take his seat, shall advance to the chair, pay his respects to the Speaker and then take his seat. R. 54; B. 249 and n. l; M. 169.

55. — A new member may be presented at any time, except whilst a division is in progress. R. 55; B. 249 n. l; C. no. 470.

56. — When a new member is introduced to the table to be presented, the matter under consideration shall be suspended, and if the house is in committee, the Speaker may resume the chair without any report being made by the committee. The proceedings of the house or the committee shall again be taken up at the point where they were interrupted, as soon as the presentation has been made. R. 56; B. 249 n. l; C. no. 470.

CHAPTER V. — RESIGNATION OF MEMBERS.

57. — Every member may resign, without the assent of the house, after it shall appear that there can be no question before

the courts as to his return. R. 58 n. 3; R. S. Q. c. 4 s. 28 and f.; C. no. 468.

58. — 1. The resignation of a member, to be valid, must be given in the forms as prescribed by law. Cf. R. S. Q. c. 4 s. 28 and f.

2. When given orally during a sitting, the resignation shall be forthwith mentioned in the journal. When given in writing, it shall be mentioned in the journal as soon as communicated to the house. R. S. Q. c. 4 s. 29, 30.

CHAPTER VI. — MAKING ELECTION FOR ONE DIVISION.

59. — 1. Any member who has been returned for two or more electoral divisions shall make his election for one of them, after it shall appear that there can be no question before the courts as to the return for either division. R. 57 § 1; B. 245; M. 638; Man. no. 19.

2. If such fact becomes certain during a session, the election shall be made within the eight next following days; if during recess, within the first eight days of the following session. R. 57 § 2; M. 638; Man. no. 19.

3. The election shall be made in the form provided for resignation of members. R. 57 § 3; B. 245; M. 638-9.

CHAPTER VII. — ATTENDANCE OF MEMBERS AND LEAVE OF ABSENCE.

60. — 1. Every member shall attend the service of the house, unless prevented from attending by sickness, or having leave of absence. R. 58 § 1 mod.; B. 252-3; M. 176-7, 180; C. nos. 267, 434; Man. no. 269.

2. Every motion for leave of absence shall require notice and must state the period and cause of absence; it may be presented by a member other than the one in whose favour the leave is demanded; it shall have precedence of any other motion on the agenda paper and may be presented before or after the business of the day; it cannot be amended and shall be put without debate. R. 59 and n.; M. 180, 230, 238; Camp. 119; Man. no. 269.

3. Every member having leave of absence shall be deemed to have forfeited the same by attending the service of the house before the expiration of such leave. R. 60; M. 180.

CHAPTER VIII. — DEPARTMENT OF MEMBERS DURING SITTINGS.

SECTION I. — *Order to be Observed.*

61. — During the sittings, the members shall keep order and decorum. R. 61; M. 333; C. no. 1782; Man. no. 157; Reed no. 49; Mell nos. 178-9.

62. — During the sittings, the members shall bow towards the Speaker when entering or leaving the chamber, take their places on entering the chamber, keep their seats and maintain silence except when allowed to speak, and uncover whilst entering or leaving the chamber or moving from one place to another. They shall not be allowed to remain standing in the chamber, to converse except in a whisper, to make noise or to cause disturbance of any kind. R. 62 and n. 1; Be. nos. 112, 116, 118; M. 305, 333-5; C. nos. 372-3, 1775, 1777, 1780-1; Redl. III, 63-4; Camp. 170-1; Man. no. 157.

63. — During the sittings, no member shall pass between the chair and the table, between the Speaker and the mace, or between the chair and a member whilst speaking. R. 63; B. 456-7; Be. no. 113; M. 334; C. no. 1778; Redl. III, 63; Camp. 170; Man. no. 157; Bl. Man. 304.

64. — Except in the cases provided for by the standing orders, whenever the Speaker rises, every member shall sit down, even if he has been called upon to speak, and whilst the Speaker is standing, all the members shall keep their seats. R. 64; M. 190, 339; C. no. 1464; Redl. III, 72; Camp. 172; Man. no. 158; Bl. Man. 304.

65. — 1. Immediately after the proposing from the chair of a motion or the reading of a report from a committee calling directly in question the conduct or election of any member, such member shall withdraw while the motion or report, and any subsequent motion which may be made to impose upon him any of the punishments provided for by the standing orders, are under debate. But before withdrawing, he may explain, and his explanation, if it is read, shall be entered in the journal. R. 65 and n. 2, 6; B. 487, 495-6; Be. no. 270; M. 339; C. nos. 664, 1784-8; Man. no. 19; Bl. Man. 320.

2. If the member whose conduct or election is thus called in question omits to withdraw, the house may order him to withdraw on a motion without notice. If the member omits or refuses to obey the order of the house, the Speaker, after being authorized to do so by the house on a motion without notice, shall order the sergeant-at-arms to expel him. R. 65 n. 3; Be. no. 270; M. 339; C. no. 1788.

3. In case the debate has been adjourned, the member who has withdrawn may return to his place, unless the house had adjudged him guilty of contempt. R. 65 n. 4; Be. nos. 269, 291; M. 341.

66. — Every member addressing the Speaker shall sit down if another member rises to take notice of any breach of order or of the rules. R. 66; B. 474; C. nos. 1214, 1218; Mell no. 153.

SECTION II. — *Maintenance of Order.*

67. — 1. It shall be the duty of the Speaker to call attention immediately to any breach of order or of the rules, and not to wait that notice of same be taken by a member. Be. no. 108; M. 307.

2. The Speaker's jurisdiction, however, shall not extend to words spoken outside the house, to questions of law or other matters which are for the determination of the house, to questions of order or of procedure arising in a committee. R. 69 n. 3-6; B. 281, 291, 520; Be. no. 106; M. 190, 192; Bourke 337; Bl. 295.

3. He may explain the practice that should be followed, in a particular case, and, when requested to do so by a committee, give his advice on a question of procedure arising therein, provided no opinion has been stated thereon by the chairman. R. 69 n. 2, 7; B. 520; M. 190, 338, 449 n. 5; C. nos. 301, 1753.

68. — 1. If any member makes any disturbance or wanders from the question under debate, he shall be called to order or to the question by the Speaker, subject to an appeal to the house. R. 67; B. 281, 464, 481-6; Be. no. 108; M. 191-2, 307-8, 334, 338; C. nos. 1457, 1622, 1639, 1749, 1759-61; Camp. 172.

2. Any member called to order or to the question may explain immediately after being so called to order or to the question. R. 68; B. 486; M. 339.

69. — Every question of order or of procedure may be debated before a decision be given by the Speaker, but such debate must be strictly relevant to the point of order taken. R. 70; B. 486; M. 315-6.

70. — **1.** The Speaker shall decide questions of order or of procedure, but only when they actually arise. He may reserve his decision. He may even, in doubtful cases, either ask for instructions from the house, or let it decide, or suggest that it may dispense with the rules. R. 69 § 1 and n. 1, 8; B. 280, 486; Be. nos. 108, 111; M. 338; C. nos. 291, 1460-5, 1750-7; Mell no. 157; Bl. 295-6.

2. In giving his decision, the Speaker shall state the rule or authority justifying the same. R. 69 § 2; B. 280; C. no. 1753.

3. When the Speaker reserves his decision on a question of order or of procedure, the matter in debate shall be adjourned, if the question raised aims at having it laid aside.

71. — **1.** When once the Speaker shall have decided, it shall not be permitted either to reflect on his decision or to refer to the question decided. But every member of the house may appeal from the Speaker to the house, provided he does so immediately. R. 69, 70 n.; B. 486; Be. no. 108; M. 308; C. nos. 1460, 1465, 1752; Bl. 223.

2. In case of appeal, the Speaker shall put the question, "Shall the decision of the Speaker be sustained?", and the house shall decide without debate. R. 71 and n.; B. 486.

72. — In case of gross disorder, that is in case of disregard of the authority of the Chair on the part of strangers in galleries or of a considerable portion of the house, the Speaker may, without any question being put, adjourn the house or suspend the sitting for a time specified by him. R. 72; Be. no. 121; M. 192, 220; C. no. 373; Redl. III, 75; Camp. 111, 173; Man. no. 165.

SECTION III. — *Punishments.*

73. — If a member persists in making a noise or disturbance after the Speaker has called to order, the Speaker may call him to order by name. R. 73; B. 487; M. 192, 330; C. nos. 373, 1781; Redl. III, 74; Camp. 172; Bl. Man. 304; Mell no. 181; Bl. 122.

74. — If a member addressing the Speaker persists in irrelevancy after having been twice called to the question, the Speaker may call him to order by name. R. 74; B. 465, 487; M. 192; Camp. 172; Mell no. 181.

75. — If a member, having used unparliamentary words, does not explain or retract the same, or does not offer apologies for the use thereof, to the satisfaction of the house, the Speaker may call him to order by name. R. 75; B. 487; Be. no. 259; C. no. 1695; Camp. 172; Bl. Man. 320; Mell no. 181.

76. — 1. If a member is called to order by name, he shall not be allowed to address the Speaker during the remainder of the sitting. R. 76 § 1; M. 331; Camp. 172; Bl. 122, 198.

2. Moreover, the house may, if a motion is immediately submitted to that effect, either order the Speaker to admonish or reprimand such member, or pronounce censure upon him with or without suspension. R. 76 § 2; B. 261, 487-8, 491, 494; Camp. 172.

3. The member referred to by such a motion shall, as soon as it is proposed from the chair, withdraw while the motion is under debate. Be. no. 280.

4. The member against whom the suspension has been pronounced shall immediately withdraw from the chamber, and he shall enter no part of the chamber. If he omits or refuses to withdraw from the chamber, or if he enters any part whatsoever of the chamber, the Speaker, after being authorized to do so by the house on a motion without notice, shall order the sergeant-at-arms to expell him. R. 76 § 2 n. 1, 2; B. 494; Be. no. 281; M. 332; Bl. 199.

77. — If a member wilfully disobeys any lawful order of the house, he may be ordered by the house to attend in his place to answer for his conduct; and, unless his explanation is deemed satisfactory, the house may punish such member, as provided for in rule 76, or direct the sergeant-at-arms to temporarily take him into custody, but without fixing any period of the imprisonment as ordered. R. 77 and n. 1; B. 488, 491, 494; M. 74, 103, 337.

78. — When the house has ordered the Speaker to admonish or reprimand any member, the Speaker shall ask such member to

rise and remain standing and he shall proceed to admonish or reprimand him, as the case may be. The remarks of the Speaker may be entered in the journal if so ordered by the house, or at the demand of the member so admonished or reprimanded. R. 78 and n. 1; B. 261, 488; M. 103; C. no. 682.

79. — 1. When a member has been forbidden to speak or any other punishment has been imposed upon him, any other member may, without previous notice, move that he be relieved from such forbiddance or punishment. R. 79 § 1; B. 488; Be. no. 280.

2. Such motion shall have precedence of all other business of the day; but it shall not interrupt any matter in progress and it can neither be debated, nor amended, nor renewed during the same sitting. R. 79 § 2.

TITLE IV.

STRANGERS.

CHAPTER I. — ADMISSION OF STRANGERS.

80. — One gallery shall be specially reserved for the members of the Legislative Council, and one for the members of the house, below the bar in the chamber. R. 80; B. 291; Be. no. 124.

81. — In addition to the galleries which may be open to the public generally, special galleries may be reserved for the Speaker, the Chairman of committees, and the press accredited correspondents. R. 81; B. 291; Be. nos. 124-5; Man. no. 277.

82. — 1. During the sittings, no stranger shall enter any part of the chamber appropriated to the members. R. 82 § 1; Be. no. 126; M. 203; Man. no. 279; Bl. Man. 153.

2. Any stranger found therein shall be immediately taken into custody by the sergeant-at-arms. R. 82 § 2; Be. no. 126; M. 203.

83. — Whenever any member takes notice that strangers are present in the chamber, the Speaker shall forthwith put to the vote the motion, "That strangers be ordered to withdraw", with-

out permitting any amendment or debate; and if the motion is adopted, the Speaker shall order strangers to withdraw from the chamber, under penalty of arrest. R. 83; B. 291; Be. no. 122; M. 203-4; C. no. 343; Redl. II, 28; Man. no. 278; Bl. Man. 153.

84. — Whether notice has been taken or not that strangers are present, the Speaker may always, if he thinks proper, order strangers to withdraw from the chamber, under penalty of arrest. R. 84; B. 291; M. 204; Redl. II, 28; Man. no. 278; Bl. Man. 153.

CHAPTER II. — CONDUCT OF STRANGERS.

85. — Persons admitted in any gallery shall remain seated and uncovered, keep silence and decorum, and they shall not be allowed to show any sign of approval or disapproval. R. 85 and n. 1.

86. — Any stranger who causes any disorder during the proceedings, or who shall not withdraw when strangers are ordered to withdraw, shall be immediately taken into custody by the sergent-at-arms. R. 86; B. 291-2; Be. no. 123; M. 203.

TITLE V.

SITTINGS OF THE HOUSE.

CHAPTER I. — QUORUM.

87. — 1. The presence of at least fifteen members, including the Speaker, shall be necessary to constitute a meeting of the house for the exercise of its powers. R. 87; R. S. Q. c. 4 s. 37.

2. The moment the Speaker shall have taken the chair, the quorum shall be assumed to be present and the Speaker shall have no right to count the members, unless a member has taken notice or the chairman of a committee of the whole has reported to the house that a quorum is not present. R. 87 n. 1; M. 223; Reed no. 16.

3. Notice of a want of quorum may be taken at any time, except whilst a division is in progress. R. 96 n. 1, 2; B. 322 n. *v*; Be. no. 41; M. 224; Bl. 106.

4. The validity of proceedings had and of votes taken by the house before notice has been taken of a want of quorum cannot be called in question. R. 96 n. 4; C. no. 369.

88. — 1. Whenever the usher of the black rod knocks at the door with a message of the Lieutenant-Governor, the Speaker, though a quorum be not present, shall immediately take the chair. R. 88 § 1; Be. no. 49; M. 170, 225; C. no. 187 n. 9; Redl. II, 68-69; Camp. 293; Man. no. 115.

2. After the departure of the usher of the black rod, or after the Speaker has made his report if the house has been desired to attend in the chamber of the Legislative Council, the house shall proceed to deliberate, although a quorum be not present, until notice is taken thereof and the want of quorum is stated. R. 88 § 2; Be. no. 49; M. 225; Redl. II, 69; Man. no. 115; Bl. Man. 32.

CHAPTER II. — OPENING SITTING OF A NEW LEGISLATURE.

89. — On the first day of the meeting of a new Legislature, the manner and order of proceeding shall be as follows:

(1) At the hour of three in the afternoon, the mace having been laid below the table and the assembly called to order by the clerk, the sworn in members shall take their seats; R. 89 (1); Be. no. 23; Redl. II, 55; Bl. Man. 57.

(2) On being summoned by a message of the Lieutenant-Governor, the members, preceded by the clerk, shall go up to the bar of the Legislative Council; R. 89 (2); B. 180; Be. no. 23; M. 151; C. no. 219; Redl. II, 55; Man. no. 7; Bl. Man. 57.

(3) If desired by the Lieutenant-Governor to choose a Speaker, the members shall return and resume their seats, the clerk presiding; R. 89 (3); B. 181; Be. no. 23; M. 152, 154; C. nos. 219-20; Redl. II, 56; Bl. Man. 58.

(4) The clerk shall lay upon the table the return certificates received from the clerk of the Crown in chancery, and the assembly shall forthwith proceed to elect a Speaker; R. 89 (4); B. 251; Be. no. 23; Bl. Man. 58.

(5) After his installation, the Speaker elect, without any question being put, shall suspend the sitting until a message is received from the Lieutenant-Governor, desiring the attendance of the house in the chamber of the Legislative Council; R. 89 (5).

(6) On receipt of such message, the Speaker, preceded by the mace and followed by the members, shall proceed to the bar of the Legislative Council, where he shall acquaint the Lieutenant-Governor that he has been elected to be Speaker and shall lay claim to the rights and privileges of the house; R. 89 (6); B. 143, 184; Be. no. 23; M. 156; C. nos. 224-5, 536; Redl. II, 57; Bl. Man. 43.

(7) The opening speech having been read by the Lieutenant-Governor, the Speaker and the house shall return and resume the sitting; R. 89 (7); M. 172; Redl. II, 58.

(8) The Speaker shall report that his election has been made known to the Lieutenant-Governor, that he has laid claim to the rights and privileges of the house and that they have been confirmed by the Lieutenant-Governor; R. 89 (8); B. 187; Redl. II, 58; Bl. Man. 43-4.

(9) The Speaker shall communicate to the house the notices, certificates, and reports received during recess and, if any warrant has been addressed to the clerk of the Crown in chancery, he shall acquaint the house thereof; R. 89 (9); B. 187; Be. no. 31; M. 172-3; Redl. II, 61; Man. no. 8.

(10) A bill shall be introduced and read a first time; R. 89 (10); B. 187; M. 172; C. no. 226 n. 2; Redl. II, 61; Camp. 83; Man. no. 8.

(11) The opening speech shall be reported by the Speaker; R. 89 (11); B. 187; M. 172; C. no. 226; Redl. II, 61; Man. no. 8.

(12) The house, on motion of the Premier or of any other member of the government, shall fix a day for the consideration of the opening speech, appoint the standing committees, and appoint a special committee of eleven members to prepare and report without delay the list of members to compose each of the standing committees, and also to name the Chairman and fix the number of members and also the quorum of each of these committees. R. 89 (12) mod.; B. 188, 530.

CHAPTER III. — OPENING SITTING OF AN ORDINARY SESSION.

90. — At the opening sitting of a session that is not the first one of a Legislature, the Speaker shall take the chair at the hour of three in the afternoon and the house shall await a message from the Lieutenant-Governor. R. 90; B. 192; Man. no. 8.

91. — On receipt of such message from the Lieutenant-Governor, the Speaker and the house shall proceed to the bar of the Legislative Council, and the manner and order of proceeding prescribed by paragraphs (7), (9), (10), (11) and (12) of rule 89 shall thereafter be observed. R. 91; B. 192-3; Man. no. 8.

92. — When a vacancy in the speakership occurs during recess, the proceedings at the opening of the next session shall be the same as at the opening sitting of the first meeting of a Legislature, except that the new Speaker shall not lay claim to the rights and privileges of the house. R. 92; B. 144, 274; M. 157; C. no. 536; Bl. Man. 45.

CHAPTER IV. — ORDINARY SITTINGS.

SECTION I.—*Opening of Sittings.*

93. — The house whilst in session, unless it has otherwise ordered on a motion after notice, shall meet at the hour of three in the afternoon, on Tuesdays, Wednesdays and Thursdays, and at the hour of eleven in the forenoon, on Fridays. R. 93.

94. — **1.** Five minutes before the hour appointed for the opening of a sitting, the division bells shall be rung by the sergeant-at-arms.

2. At the hour appointed for the opening of the sitting, the Speaker shall enter the chamber, the members shall rise, and, after having gone up to the upper step, the Speaker, standing there, shall make in the name of the house the following prayer:

“O eternal and almighty God from whom all power and wisdom come, by whom kings rule and make equitable laws, we are assembled here before Thee to frame such laws as may tend to the welfare and prosperity of our Province; grant, o merciful God, we pray Thee, that we may desire only that which is in accordance with Thy will, that we may seek it with wisdom and know it with certainty and accomplish it perfectly for the glory and honour of Thy name and for the welfare of our country. Amen.”

When once the prayer shall have been terminated, the Speaker shall proceed to count the house; if there is a quorum, he shall forthwith take the chair, call the house to order, and the members shall take their seats; then, unless it is proposed, without previous

notice, to discuss some matter with closed doors, the Speaker shall direct the doors to be opened. R. 94; B. 280, 326; Be. no. 42; M. 223; Redl. II, 68; Bl. Man. 31-32.

SECTION II.—*Closing of Sittings.*

95. — If a quorum is not present at the time appointed for the opening of a sitting, the Speaker may proceed to the chair and, without any question being put, adjourn the house. R. 95; B. 322; Be. no. 42; M. 223-4; C. nos. 361-2.

96. — When any member takes notice or the Chairman of a committee of the whole house reports to the house that a quorum is not present, the Speaker, unless the house has just been counted, shall forthwith order the bells to be rung, and thereafter, after waiting two minutes, proceed to count the members present, including those entering the chamber during the counting. If a quorum is not present, he shall adjourn the house, without any question being put. R. 96; B. 322-3; Be. nos. 40-1, 43-4; M. 222-4; C. nos. 369, 1396, 1995; Redl. II, 68, 74; Camp. 112; Man. no. 111; Bl. Man. 32-3.

97. — Whenever the result of a vote of the house shows that there is no quorum present, the Speaker, unless he has ascertained that, in counting the members who have abstained from voting, there is quorum, shall forthwith adjourn the house, without any result of the voting being declared and without any question being put. R. 97 and n.; B. 322; Be. no. 48; M. 224; C. nos. 369-70, 1396; Camp. 111-2; Bl. Man. 32.

98. — 1. Whenever the Speaker adjourns the house for want of quorum, he may either postpone the sitting to a later hour of the same day or adjourn the house without appointing an hour for the next sitting of the house. R. 98 § 1; B. 322.

2. The time of the adjournment, and the hour to which the sitting is postponed, if any, shall be entered in the journal. R. 98 § 2.

99. — If there is any matter in process when the Speaker adjourns the house for want of quorum, such matter shall be superseded. R. 99; B. 323; Be. no. 46; M. 274; C. no. 1396; Redl. II, 226; Bl. Man. 33.

100. — **1.** The house shall be adjourned at the hour of eleven in the afternoon, on Tuesdays, Wednesdays and Thursdays, and at the hour of one in the afternoon, on Fridays, unless it has previously been decided, on a motion after notice, to adjourn at another fixed hour or at will. R. 100a § 1.

2. The house may, however, on a motion without notice, adjourn before the hour appointed shall arrive.

101. — **1.** At the hour appointed for the adjourning of the house, the Speaker, unless a voting is in progress, shall rise and call the house to order; then he shall adjourn the matter in progress and the house, without any question being put, and every dilatory motion then pending shall lapse. If, at the hour appointed, the house is in committee, the Chairman, unless a voting is in progress, shall interrupt the proceedings of the committee in the same manner and shall leave the chair to make a report, without any question being put, and every dilatory motion then pending shall lapse; then, after the report shall have been received and, if necessary, after the resolutions or the bill as amended have been read, the Speaker shall adjourn the matter in progress and the house, without any question being put. R. 100, 100a § 2; M. 213, 275; C. no. 801; Redl. II, 70; Camp. 106; Man. no. 37.

2. If, at the hour appointed for the adjourning of the house, a voting is in progress, the sitting shall be interrupted as hereinabove provided for as soon as the result of the voting shall be declared. R. 100a § 2; M. 217; Redl. II, 70; Man. no. 34.

102. — Whenever the house has decided to adjourn at will, the sitting, except in cases provided for by the standing orders, shall continue as long as the house has not been adjourned on a motion without notice. R. 101 and n. 2; M. 221; Redl. II, 74; Bl. Man. 77.

103. — The adjournment of the house shall always be mentioned in the journal. But the time at which the house has adjourned shall be mentioned in the journal only when the adjournment has taken place after midnight or for want of quorum. R. 101 n. 5, 6; B. 321; C. no. 360.

104. — The house, when it rises without fixing the time of its next sitting, shall stand adjourned till the hour appointed by the standing or sessional orders for the opening of its next sitting. R. 102; C. no. 510; Bl. Man. 77.

SECTION III.—*Suspension of Sittings.*

105. — Except in cases provided for by the standing orders, a sitting shall be suspended only by a resolution of the house, on a motion without notice. R. 109; C. no. 515.

106. — If, at the hour of six in the afternoon, the business of the day is not concluded, the sitting shall be suspended till eight. R. 103; B. 320.

107. — If, at the hour of six in the afternoon, the Speaker is in the chair, he shall leave it without any question being put. R. 104; B. 320; Bl. Man. 29.

108. — If, at the hour of six in the afternoon, the house is in committee, the Chairmans hall leave the chair without any question being put or any report being made, and the sitting shall stand suspended. If, however, a matter other than the matter under consideration is to have precedence at eight, the Speaker, when six o'clock arrives, shall resume the chair without any report being made by the committee, and then leave it forthwith without any question being put. R. 105; B. 320-1, 526; Be. no. 62.

109. — 1. At eight in the evening, the proceedings shall be taken up at the point where they have been interrupted at six. R. 106 § 1; Be. no. 62.

2. The public business of the day, however, shall be again taken up only after the consideration of private bills. R. 106 § 2; Be. no. 62.

110. — No sitting shall be suspended whilst a division is in progress, except in cases otherwise provided for by the standing orders. R. 107; Man. no. 34; Bl. Man. 29.

111. — During recess, the mace shall be left on the table. R. 109 n. 3; B. 320-1; M. 222; Camp. 111.

112. — On a sitting suspended being resumed, the house shall not be counted by the Speaker. R. 108; M. 222; Bl. Man. 32, 80.

113. — The suspension of a sitting shall be mentioned in the journal only if, after recess, the house takes up any other matter than the one which was in progress at the time when the sitting was suspended. R. 104 n., 109 n. 2; B. 320-1; M. 222.

SECTION IV.—*Order of Business.*

114. — 1. At every sitting, routine business shall be taken up before the business of the day in the following order:

- (1) Presenting petitions;
- (2) Reading and receiving petitions;
- (3) Presenting reports by select committees;
- (4) Making motions needing no previous notice, with reference to proceedings of the house or of the committees;
- (5) Introducing private bills;
- (6) Introducing public bills. R. 110 § 1; B. 326.

2. Immediately after routine business has been transacted and before the business of the day is taken up, a member may raise a question of privilege; may make personal explanations to call attention to an inaccurate report of one of his speeches, or to deny charges made against him in public prints, or to restate the meaning of remarks previously made by him which shall have been misunderstood and which he shall have not before had an opportunity of explaining; may call the attention of the government to delay in bringing down accounts and papers required or in answering questions appearing on the agenda paper, or to the incompleteness of certain returns brought down; may ask for or give information with reference to the conduct of business in the house or to other matters of public interest. But, in all the cases above-mentioned, except those otherwise provided for by the standing orders, the remarks shall be brief and made so as not to raise a debate. Be. no. 135, 191, 262-3.

115. — 1. Unless the house has otherwise ordered, the business of the day shall be taken up in the following order:

- (1) On Tuesdays and Thursdays,—
 - (a) Questions to ministers and members;
 - (b) Motions of which notices have been given by the government;
 - (c) Orders of the day standing in the name of the government;
 - (d) Orders of the day relating to public business and standing in the name of members;
 - (e) Motions of which notices have been given by members;
 - (f) Orders of the day relating to private bills.

(2) On Wednesdays and Fridays,—

(a) Questions to ministers and members;

(b) Motions of which notices have been given by members;

(c) Orders of the day relating to public business and standing in the name of members;

(d) Motions of which notices have been given by the government;

(e) Orders of the day standing in the name of the government;

(f) Orders of the day relating to private bills. R. 111 § 1.

2. On every day, the house, on resuming its sitting at the hour of eight in the evening, shall take up private bills during the first hour, unless orders of the day relating to such bills have been previously disposed of. When such first hour shall have expired, if a member calls the attention of the Speaker or of the Chairman to the fact, the consideration of the private bill then in progress shall be adjourned, unless all other business of the day than private bills has already been disposed of. R. 111 § 2 and n. 2; B 328, 338-9.

116. — Previous to the opening of any sitting, the clerk shall cause to be delivered to the Speaker and the members an agenda paper showing, in their proper order, the items to be taken up by the house during the sitting. R. 112; B. 285, 328; Be. no. 136.

117. — Public bills to be introduced shall be placed upon the agenda paper in the order in which the notices for the same have been given. R. 113 § 1; B. 326 n. n.

118. — 1. Motions, and questions to ministers and members, shall be placed upon the agenda paper in the order in which the notices for the same have been given. R. 114; M. 253.

2. Whenever the debate of a motion proposed from the chair shall have been adjourned, such motion shall be placed upon the agenda paper as an order of the day. R. 114 n.; C. no. 1373; Redl. III, 14; Man. no. 49; Bl. Man. 132.

119. — Orders of the day relating to bills shall be placed upon the agenda paper before all other orders of the same class, and arranged so as to give precedence to the most advanced. R. 115; Be. no. 206; M. 253.

120. — Except in cases provided for by the standing orders, and also except when, upon the recommendation of a select committee, the promoters of a private bill have been authorized to withdraw such bill, bills reported by select committees shall be placed upon the agenda paper for the next sitting. R. 116, 548 n. 2.

121. — Bills standing at the same stage shall be placed upon the agenda paper in the order in which they have reached such stage. R. 119; M. 253.

122. — Orders of the day not relating to bills shall be placed upon the agenda paper in the order in which they have been voted. R. 118.

123. — When a special order has been arranged for any matter, such matter shall be placed upon the agenda paper according to the order so arranged. R. 120.

124. — When any matter has been ordered to be taken up at a special hour, it shall be placed upon the agenda paper before the items of the business of the day, with a mention of the time when it is to be taken up. R. 121.

125. — Motions and orders of the day relating to questions of privilege are placed upon the agenda paper before all other items of the business of the day. M. 268-9.

126. — **1.** All items upon the agenda paper of the day shall be taken up according to the precedence given to each. R. 122 § 1; B. 330; Be. no. 200; M. 253; Man. no. 47.

2. However, any matter ordered for a special hour shall be taken up at the hour appointed; and matters standing in the name of ministers of the Crown, when they are to be taken up by the house, shall be called in such sequence as the government may think fit. R. 122 § 2; B. 330; Be. no. 200; M. 251; C. no. 1398; Man. no. 42.

127. — If any material error occurs in the text of the agenda paper, the Speaker shall make a statement to the house and restore the items in the order prescribed by the rules or by any special order. R. 123.

128. — 1. Orders of the day shall be read without any question being put. R. 124; M. 253; Man. no. 47.

2. Although an order of the day specifies some particular thing to be done with regard to a matter, the house may, after that particular thing has been done, proceed forthwith, except in cases otherwise provided for by the standing orders, to do anything that may be necessary to carry the matter through. R. 124 n. 4; C. no. 1403.

129. — 1. The items upon the agenda paper of the day not taken up when called shall stand retaining their precedence, unless the government requests that they be placed upon the agenda paper for the next sitting after those of the same class at a similar stage. R. 125 § 1 mod.

2. However, if a motion is not taken up within twenty days after the date when notice has been given thereof, it can no longer be placed upon the agenda paper without a special order of the house. R. 125 § 2.

130. — All items upon the agenda paper of the day not called before the adjournment of the house shall stand postponed till the next sitting. R. 126; B. 334; Be. no. 205; M. 255; Redl. II, 7, III, 34; Camp. 139; Man. no. 39.

131. — Except in cases otherwise provided for by the standing orders, reports and papers may be presented only when other business is not before the house. R. 127 and n.; Bl. Man. 36.

SECTION V. — *Printed Votes and Proceedings.*

132. — After each sitting day, the clerk shall cause a short record of the votes and proceedings of the house to be prepared and printed in the French and English languages, under the perusal of the Speaker, and copies thereof to be distributed to the Lieutenant-Governor, the Executive Councillors and the members. R. 128; B. 285, 293; Be. no. 252; M. 199, 225; C. nos. 327, 415-6, 429; Man. no. 272.

133. — If any material error occurs in the text of the votes and proceedings of a sitting, it may be corrected by the clerk in the votes and proceedings of the next sitting day. Afterwards, it may be corrected only by an order of the house. R. 129; M. 294; C. no. 329.

SECTION VI. — *Journals.*

134. — The clerk shall cause a complete record of the votes and proceedings of the house to be prepared in the form of a journal and, the session being closed, to be printed and distributed in the French and English languages, together with an index to such votes and proceedings and also a summary of all decisions given by the Speaker during the session on questions of order or of procedure. R. 130; B. 293; Be. no. 252; M. 199; C. nos. 327, 415-6; Man. no. 273.

135. — The house may always, on a motion after notice, order entries in the journal to be expunged or corrected. R. 131; B. 293 n. o; M. 201, 238, 293; C. no. 424; Bl. Man. 62.

TITLE VI.
MOTIONS.

CHAPTER I. — DECLARATORY PROVISIONS.

136. — A motion is the form made use of by a member when proposing that the house do something, or order something to be done, or express an opinion with regard to some matter or thing. R. p. 32 n 1; C. no. 797; Bl. Man. 129; Mell no. 53.

137. — Except in cases otherwise provided for by the standing orders, every member desiring to bring the house to come to a decision shall do it by means of a motion; and a motion shall be made use of, not only to bring a matter before the house, but also to carry it through. R. p. 32 n. 2; B. 414; C. nos. 797, 1184; Redl. II, 215; Mell nos. 53, 62 and f.; Robert no. 54.

138. — A motion, when once it shall be proposed from the chair, shall become a question to be decided. R. p. 32 n. 3; Redl. II, 220; Bl. Man. 129; Mell no. 69.

139. — A motion, when adopted, shall become an order or a resolution of the house: an order, when the house, by its decision, requires its committees, its members, its officers or any other

person to do something; a resolution, when, by its decision, the house declares its opinions or its purposes, or affirms some facts or principles. R. p. 32 n. 5, 6, 7; Be. nos. 5, 370; M. 280; C. nos. 798-9; Camp. 145; Bl. Man. 133; Mell nos. 31, 53; Reed no. 100; Smith 113.

140. — There are many kinds of motions:

(1) Main motions, which are made when there is no question before the house; R. p. 32 n. 8; Robert no. 6.

(2) Subsidiary motions, which are made with the purpose of better disposing of a main motion then before the house, such as motions for the previous question, motions to commit, motions to adjourn the debate and motions to amend; R. p. 32 n. 8; C. no. 1292; Mell no. 82; Robert no. 7.

(3) Incidental motions, which relate to questions arising incidentally on the occasion of a motion then before the house, such as motions arising from questions of order or of procedure, motions for leave to address the house without rising, motions to divide complicated questions then before the house, motions made by ministers of the Crown for leave to lay upon the table documents which they desire to quote, motions to read a paper just laid upon the table, motions for leave to withdraw a motion under debate, motion for suspension of rules preventing the consideration of the matter then before the house; R. p. 32 n. 8; C. nos. 1293, 1456; Mell no. 151; Robert no. 8.

(4) Privileged motions, which, on account of their importance or their urgency, take precedence of any other motion, such as motions to adjourn the house, motions relating to privileges of the house or its members, motions to pass to the business of the day, to the following business of the day or to any particular business of the day; R. p. 33 n. 8; C. no. 1498; Mell nos. 79, 164; Reed no. 198; Robert no. 9.

(5) Dilatory motions, whose object is to supersede or to delay the consideration of a matter in progress, such as motions to adjourn the house, motions to adjourn the debate, motions to pass to the business of the day, to the following business of the day or to a particular business of the day, motions to report progress, motion that the Chairman leave the chair; R. p. 33 n. 8 B. 445; M. 215; Camp. 147; Man. no. 37.

(6) Substantive motions, which are main motions relating to any matter not already in possession of the house; R. p. 33 n. 8; Be. no. 336; Redl. III, 13; Camp. 143; Man. nos. 40, 150.

(7) Formal motions, which are main motions consecutive to a resolution or order voted during the same session, or having for their object the carrying through of a matter already before the house. R. p. 32 n. 8.

CHAPTER II. — MOTIONS IN GENERAL.

SECTION I. — *Notices of Motions.*

141. — 1. Except in cases otherwise provided for by the standing orders, no member shall make any substantive motion unless he has previously given a notice thereof. R. 132 § 1; B. 414; Be. no. 357; M. 230; C. no. 1187; Redl. II, 216-8; Man. no. 117.

2. By unanimous consent of the house, any substantive motion may, however, be made without previous notice. R. 133; B. 423; Be. no. 373; M. 236; C. no. 1189; Redl. II, 218; Man. no. 117.

142. — 1. Notice shall be given in writing in the French or English languages. R. 134 § 1 and n.; B. N. A. A. s. 133; B. 311, 416; Be. no. 361; Man. no. 118.

2. It shall bear the name of the member who intends to bring on the motion. R. 134 § 2.

3. It shall comprise all the words of the intended motion, except in cases of a public bill intended to be introduced, or of resolutions intended to be proposed to a committee of the whole house. R. 134 § 4; B. 420; M. 232, 452.

143. — Any notice containing unbecoming expressions, or comprising the text of an irregular motion, or being otherwise irregular, may be ordered by the Speaker to be amended or laid aside. R. 135 and n. 1; Be. nos. 364-5; M. 235; Camp. 123; Man. no. 123.

144. — 1. Every notice shall be given at least one clear day prior to that on which the motion is to be brought on. R. 136 § 1; C. no. 1187.

2. A notice to be given, whilst the house is sitting, must be delivered either to the clerk of the house or to the clerk of the

agenda paper, or, if the house is not sitting, must be deposited at the office of one or the other of these officers. R. 137 § 1 mod.

3. If a notice is delivered or deposited before noon, on Saturdays, or before six in the afternoon, on all other days not being holidays, the delays shall run from the day of delivery or deposit; if not, they shall begin to run only from the following day. R. 137 § 2.

4. However, when more than one sitting is held every day, it shall suffice that notice be given before the close of the last sitting, but one, preceding the sitting when the motion is to be presented. R. 136 § 2.

145. — No motion shall be placed upon the agenda paper of a sitting unless the notice thereof has been appended to the agenda paper of the preceding sitting.

SECTION II. — *Form and Contents of Motions.*

146. — 1. Every motion shall be submitted in writing, unless it is one of those which are always in the same form. R. 138; B. 417 and n. j.; M. 270; C. no. 1283; Man. no. 125; Mell no. 64; Reed no. 103.

2. Every motion may be submitted in the French or the English language. B. N. A. A. s. 133; B. 311.

247. — Every motion shall commence with the word "That". R. 139; B. 436.

148. — No motion shall be made in the negative form. R. 141; Be. no. 390; C. no. 1280.

149. — No motion shall be prefaced by a recital of reasons, but it may contain one. R. 140; B. 437.

150. — No motion shall contravene the provisions of an act or statute or contain utterances that are not allowed to be made or expressions that are not allowed to be used whilst speaking, or be worded in the style of a speech, of a pamphlet, or of an argument. R. 140 n. 1, 2, 4, 142; Be. no. 381; M. 235-6, 271-2; C. nos. 1251-2, 1287-8; Redl. II, 221; Bourke 235.

151. — 1. No motion shall raise a question substantially identical with one on which the house has given a decision during the current session. R. 153 § 1; B. 452-3, 687; Be. nos. 383-4;

M. 190, 271-2, 292, 295-6; C. nos. 1254-8, 1262, 1830-1; Redl. III, 36; Camp. 144, 151; Man. no. 126; Bl. Man. 148; Mell no. 65.

2. The same motion may, however, be made at every stage of a bill or matter, and a motion may propose that any resolution be rescinded, or any order discharged, or any sessional order suspended. Likewise, as long as a bill has not been voted, rejected or put off for one, three or six months, a similar one may be introduced; the clauses struck out of a bill may be inserted in a new bill; the rejection of instructions relating to a bill shall not prevent the introducing of a new bill dealing with the object of such instructions; where the second or third reading of a bill has been negatived on a reasoned amendment against certain clauses of the bill, the other clauses may be introduced on a new bill; a bill to repeal or amend an act voted during the same session may be introduced and voted, and a bill similar to a bill of the Legislative Council which is pending before the Legislative Council or has been rejected by the house may also be introduced and voted in the house. R. 153 § 1 n. 4, 153 § 2; R. S. Q. c. 1 s. 8; B. 452-3; M. 292, 297-8, 300; C. nos. 1259-61; Camp. 151-2; Bl. Man. 148.

152. — A motion which has been dropped because it was not seconded, or has been superseded, or withdrawn, may be made again during the current session. R. 154; B. 323, 334, 453, 679; Be. nos. 459, 461; M. 257, 275, 296; C. nos. 1243, 1299, 1393; Camp. 151.

153. — 1. No motion shall raise a question substantially identical with one then placed upon or whereof notice has been given in the agenda paper in whatsoever form it be. R. 155; B. 334; Be. no. 385; M. 190, 272; Camp. 144, 152; Man. no. 127; Bl. 216.

2. The placing of a notice of motion or of a motion upon the agenda paper shall not, however, prevent the introducing of a bill on the same subject, and the placing of a bill upon the agenda paper shall not prevent the introducing of a similar bill. Camp. 153.

154. — The conduct of the Lieutenant-Governor, of the Speaker, of the Chairman of committees, or of any member of either

house, can be called in question only by a direct and substantive motion, after previous notice. R. 156; B. 280, 521; Be. nos. 27, 337, 380, 515-6; M. 198, 271; Redl. II, 146, 220; Camp. 144; Man. nos. 131, 155.

155. — 1. No motion proposing or involving directly any grant or appropriation of public moneys, or any impost or increase of charge upon the people, or any releasing in whole or in part of a sum due to the Crown, or any grant of property belonging to the Crown, shall be considered or put to the vote, unless the subject-matter thereof is recommended by the Lieutenant-Governor during the current session and the motion has first been referred to and reported by a committee of the whole house. R. 157; B N. A. A. s. 54, 90; R. S. Q. c. 4 s. 40; B. 567-70, 594-5; M. 190, 504-5; Man. nos. 221, 223; Todd I, 691.

2. The above rule shall not, however, apply to motions expressing only an abstract opinion on a matter of supply, of impost, of release of a debt, of grant of Crown property, or of construction of public works. R. 157 n. 3; B. 573; Be. no. 558; M. 518; Camp. 249; Todd I, 411, 700; Ans. 272.

156. — No motion of which a notice has been given shall be made in a form differing from that of the notice, except with the unanimous consent of the house or upon a regular renewal of notice. R. 143; B. 420; M. 234; C. no. 1205; Man. no. 121; Bl. Man. 210-1.

157. — Any irregularity in any portion of a motion shall render the whole motion irregular. R. 144; Be. no. 393; Smith 225.

158. — Whenever any motion presented appears to him to be irregular, the Speaker shall apprise the house thereof immediately; and, after the debate on the question of order or of procedure has been closed, he may, after quoting the rule or authority applicable to the case, lay aside and refuse to allow the motion to be proposed from the chair or voted upon, the whole subject to an appeal to the house. R. 145; B. 418; Be. no. 463; M. 190, 270; C. no. 1231; Redl. II, 142, 221; Bl. Man. 131.

SECTION III. — *Presenting Motions.*

159. — 1. Except in cases otherwise provided for by the standing orders, no motion of which a member has given notice shall

be submitted by another, without the unanimous consent of the house and the permission of the member in whose name the notice stands. R. 146 § 1; B. 421-2; Be. no. 360; M. 230-1, 256; C. nos. 267, 1203; Redl. II, 217; Camp. 140, 144; Bl. Man. 131.

2. However, a minister of the Crown may, in all cases, act on behalf of a colleague. R. 146 § 2; B. 421; Be. no. 360; M. 255; Redl. II, 217; Camp. 140, 144; Bl. Man. 131.

160. — A member shall not be bound to present the motion of which he has given notice. R. 146 § 1 n. 2; B. 421; Be. no. 377; C. no. 1203; Bl. Man. 131.

161. — No member can present a motion on a matter in which he has a pecuniary and direct interest.

162. — Any member whatsoever may present a motion to carry into effect an order of the day. R. 146 § 1 n. 1; M. 254; Redl. III, 34.

163. — No motion can be made whilst a division is in progress. R. 147; M. 264.

164. — 1. Every motion, before being proposed from the chair, shall be seconded, unless its purpose is to carry into effect an order or resolution of the house, or it is a formal motion necessary to carry out a bill or a proposed resolution. R. 148; B. 417 and n. *j*; M. 270-1; C. nos. 1223, 1230; Redl. II, 216; Camp. 144; Man. no. 124; Bl. Man. 131; Mell no. 63.

2. A motion of the government shall, however, never need to be seconded. Camp. 144; Man. no. 124.

165. — Except in cases otherwise provided for by the standing orders, a motion not seconded cannot be debated. It shall be dropped forthwith and no entry thereof shall be made in the journal. R. 149; B. 283-4 n. *j*; M. 270-1; C. nos. 1225-6, 1563; Redl. II, 216; Man. no. 124; Bl. Man. 132.

SECTION IV. — *Bringing Motions under Consideration.*

166. — 1. Whenever any motion has been regularly made and, if need there be, seconded, it shall be either read or stated in the French and English languages by the Speaker, who shall forthwith put the question, "Shall this motion be adopted?" R. 150 § 1; B. 417; M. 273; Camp. 143, 145; Man. no. 128.

2. If the Speaker is not familiar with both languages, he shall either read or state the motion in one language and direct the clerk to either read or state it in the other. R. 150 § 2; B. 417.

167. — 1. Every motion shall be either read or stated by the Speaker in the very words in which it was made. R. 151 § 1; M. 270; C. nos. 1185, 1234, 1290; Redl. III, 44; Camp. 143; Man. no. 125; Bl. Man. 131.

2. However, in the event of any informality, the Speaker may correct the motion and either read or state it in appropriate form. R. 151 § 2; M. 270; C. no. 1234.

168. — Until a motion has been proposed from the chair as hereinbefore prescribed, it shall not be regularly before the house. R. 152; B. 417; Be. no. 370; M. 271; Redl. III, 44; Bl. Man. 130; Mell no. 32; Reed no. 108.

169. — 1. Whenever a motion is proposed from the chair, it shall be disposed of before the house can proceed with any other business. R. 158 § 1; B. 451; M. 273; C. nos. 1183, 1185, 1291, 1441; Bl. Man. 132; Mell no. 68.

2. While a motion is under debate, subsidiary, incidental, dilatory, or privileged motions or questions may, however, be proposed except in cases otherwise provided for by the standing orders; and in the event of such proposing, the debate upon the main motion shall be suspended until the house has disposed of the subsidiary, incidental, dilatory, or privileged motions or questions. R. 158 § 2; M. 263-4, 274-5; C. nos. 1183, 1291-9; Mell no. 68.

CHAPTER III. — MOTIONS TO AMEND.

SECTION I. — *Amendments.*

170. — 1. Except in cases otherwise provided for by the standing orders, every member other than the proposer of a motion under debate may, if he is entitled to speak on such motion, make a subsidiary motion to amend such motion. R. 159 and n. 6; B. 419 n. *u*, 435-6, 450 n. *p*; 470; Be. nos. 322, 409; M. 282; C. no. 1241; Camp. 150, 167; Bl. Man. 309; Bl. 12.

2. A notice shall not need to be given of a motion to amend, except in cases otherwise provided for by the standing orders. R. 159 n. 7; B. 436; Redl. II, 228; Camp. 148.

171. — Any motion to amend can have only one or more of the following objects:

(1) To strike out certain words;

(2) To insert certain words;

(3) To add certain words;

(4) To substitute certain words for others. R. 160; B. 436; Be. no. 394; M. 283; C. no. 1304; Redl. II, 230; Man. no. 130; Bl. Man. 136.

172. — Every amendment shall bear on the words of the motion to which it is moved; moreover, except in cases otherwise provided for by the standing orders, it must be directly relevant to the subject of the motion to which it is moved. R. 160 n. 10, 161; B. 442-4, 583; Be. nos. 395, 422; M. 285; C. no. 1311; Redl. II, 229-30; Camp. 149; Man. no. 131; Bl. Man. 142; Reed no. 160; Bourke 31.

173. — Every amendment shall be worded so that the motion to which it is proposed do not take a negative form and remain intelligible, if adopted. R. 160 n. 7, 162; Be. nos. 395, 400; M. 285-6; Redl. II, 229; Camp. 149; Bl. Man. 256; Reed no. 159.

174. — 1. Until the house has finally pronounced on a proposition in its entirety, the right to amend shall stand. R. 163 § 1; Reed no. 129.

2. If a proposal is composed of several clauses or paragraphs, no clause or paragraph which has been adopted can, however, be moved to be altered or amended. R. 163 § 2; Be. no. 399; C. nos. 1307-8; Camp. 150; Reed no. 130.

175. — Except in cases otherwise provided for by the standing orders, several amendments may be successively moved on a main motion by several members being entitled to speak on such motion; but only one amendment shall be before the house at any time. R. 164; B. 439-42; M. 286; Bl. Man. 138; Reed no. 134.

176. — 1. No amendment shall call in question a principle on which the house has given a decision in connection with a former amendment. R. 165; B. 439, 453-4; Be. nos. 403, 413; M. 286-7; C. nos. 1307-8; Redl. II, 229; Man. no. 131; Mell no. 125; Bl. 9, 11.

2. The same amendment may, however, be moved at different stages of a bill. R. 153 § 2 part; B. 687; M. 298; Redl. III, 37; Bl. Man. 150.

177. — When notices have been given of several amendments, they shall be proposed in the order in which the words of the original motion stand which would be affected by them, if agreed to. R. 166; M. 286; Redl. II, 231; Bl. Man. 139.

SECTION II. — *Amendments to Amendments.*

178. — An amendment may be moved to any amendment, except in cases otherwise provided for by the standing orders. R. 168 part; B. 439-40; Be. no. 402; C. no. 1306; Redl. II, 232; Camp. 150; Man. no. 131; Mell no. 122.

179. — Rules relating to amendments shall apply to amendments to amendments. R. 168 n. 1; Be. no. 414; M. 288; Redl. II, 232; Camp. 150; Bl. Man. 139.

180. — No amendment moved to any amendment shall in substance be a repetition of the main motion. R. 169.

181. — Every amendment to an amendment shall be exclusively limited to the words and subject thereof. R. 170; Mell no. 123.

182. — Several amendments may be successively moved to a proposed amendment as if such proposed amendment was an original motion; but only one amendment to a proposed amendment shall be before the house at any time. R. 171; B. 440, 442; Be. nos. 402-3; M. 289; C. no. 1306; Redl. II, 232; Bl. Man. 141; Reed no. 149.

183. — No amendment of an amendment to an amendment can be moved. R. 172; B. 442; Be. no. 402; C. nos 1306, 1331; Mell no. 122.

SECTION III. — *Priority between Main Motions, Amendments, and Amendments to Amendments.*

184. — Amendments shall be put to the vote before the main motion, and amendments to an amendment before the amendment. R. 173; B. 439; Be. nos. 414, 423; C. no. 1331; Redl. II, 230-2.

SECTION IV. — *Effects of the Adoption or Rejection of Amendments.*

185. — When an amendment to any motion or to any amendment is agreed to, the main motion, or the main amendment, shall be again proposed from the chair as amended, and a new amendment may then be moved, except in cases otherwise provided for by the standing orders. R. 174 and n.; B. 439; Be. no. 423; Redl. II, 230-2.

186. — When an amendment to any motion or to any amendment is disagreed to, the main motion, or the main amendment, shall be again proposed from the chair as originally proposed, and a new amendment may then be moved, except in cases otherwise provided for by the standing orders. R. 175 and n.; B. 439; Redl. II, 231.

187. — **1.** Whenever an amendment to strike out certain words is disagreed to, amendments to amend such words may be moved. Be. no. 415.

2. Amendments to add may also be moved to be made to an amended motion, or an amended amendment. R. 176; B. 439, 441; Be. no. 412.

CHAPTER IV. — MOTIONS TO ADJOURN THE HOUSE.

188. — A motion to adjourn the house may be made at any time, except in one or the other of the following cases:

- (1) When a motion to adjourn the debate is before the house;
- (2) Whilst a division is in progress;
- (3) When a matter placed upon the agenda paper has just been called and no motion has yet been proposed from the chair to bring such matter before the house. R. 177 and n. 3; B. 445; Be. no. 192; M. 274; C. nos. 1390, 1518; Bl. Man. 79, 145; Bl. 8; Mell no. 165; Reed no. 169.

189. — If a motion to adjourn the house is made when no matter is before the house, it may be amended, but only as to the term of adjournment. M. 287; Redl. II, 230; Camp. 150.

190. — **1.** A motion to adjourn the house, when made whilst a matter is before the house, shall be put in the form, "That the house do now adjourn." R. 178 § 1; B. 446; M. 274; C. no. 1391; Redl. II, 226; Bl. Man. 145; Mell no. 165.

2. It can be made only by a member who is entitled to speak to the question under debate or to the matter pending. R. 178 § 2; M. 274; C. no. 392; Mell no. 165; Reed no. 169.

3. It shall interrupt any debate in progress and, if agreed to, shall supersede all questions before the house, whether main, subsidiary or incidental. R. 178 § 3; B. 446; M. 274; C. nos. 1390, 1393; Redl. II, 226; Bl. Man. 145; Mell nos. 165, 176.

4. It cannot be amended, nor superseded by any other motion. R. 178 § 4; M. 275, 287; C. nos. 1391, 1515; Redl. II, 230; Camp. 147; Bl. Man. 145; Mell no. 165

5. It may be debated, and the debate thereon may be interrupted only by a question of privilege, or by a question of order, or of procedure, or by a motion to withdraw or any other incidental motion. R. 178 § 5; Mell no. 176.

191. — A motion to adjourn the house, if rejected, cannot be renewed unless some intermediate proceeding has been had. R. 179; B. 445; Be. no. 238; M. 275; C. nos. 1394, 1518; Camp. 147; Mell no. 166.

CHAPTER V. — MOTIONS TO ADJOURN THE DEBATE.

192. — 1. A motion to adjourn the debate may always be made whilst a debatable motion. other than a motion to adjourn the house, is before the house. R. 180 § 1; B. 447; Be. no. 238; M. 275; C. no. 1452.

2. It shall be put in the form, "That the debate be now adjourned." R. 180 § 2; B. 447; M. 275; C. no. 1395.

3. It can be made only by a member who is entitled to speak to the question under consideration. R. 180 § 3; B. 470; M. 274, 315.

4. It shall interrupt any debate in progress. R. 180 § 4; C. no. 1447.

5. It cannot be amended, nor superseded by any other motion. R. 180 § 5; M. 275, 287; C. no. 1447; Redl. II 230; Camp. 147.

6. It may be debated, and the debate thereon may be interrupted only by a question of privilege, or by a question of order, or of procedure, or by a motion to withdraw or any other incidental motion. R. 180 § 6.

7. If rejected, it cannot be renewed unless some intermediate proceeding has been had. R. 180 § 7; M. 275; Camp. 147.

CHAPTER VI. — QUESTIONS OF PRIVILEGE AND MOTIONS
ARISING THEREFROM.

193. — Every question relating to the rights of the house collectively, to its security, to its dignity or to the freedom of its proceedings, or to the rights, the security, the conduct or the honour of the members individually but in their capacity as members of the house shall be held to be a question of privilege. R. 181 n. 1; B. 424; C. nos. 529-32.

194. — Every member or other person guilty of a breach of privilege shall be liable to punishments as provided for in rules 76 and 77.

195. — 1. Every member raising a question of privilege may either conclude with a motion or confine himself to complaining. R. 182 § 1.

2. If he confines himself to complaining, no debatable matter may be brought forward and no debate can ensue thereon. R. 182 § 2.

196. — 1. Whenever a member desires to charge one of his colleagues with one act or more disqualifying him from sitting in the house, he shall at first read, from his seat, a declaration setting forth the charge in direct, clear and moderate terms, and in which he shall take the responsibility of the charge made, and then give forthwith notice of a motion that the house do proceed to investigate the truth of the charge. Debates, H. of C. of Canada, 1891, III, 6083.

2. The declaration shall be entered and the notice of motion shall be mentioned in the journal, unless otherwise ordered by the house on a motion without notice.

3. It shall be incumbent upon the house, not upon the Speaker, to decide whether the declaration is sufficient to warrant an inquiry.

4. When a motion to proceed to an investigation has been proposed from the chair, the incriminated member may, before withdrawing, explain himself or read a declaration, which shall be entered in the journal. R. 65 n. 2.

5. If the member who has made the charge does not substantiate it, he shall become guilty of a breach of privilege.

197. — 1. Whenever a member desires to complain of a breach of privilege against a person who is not a member, he shall, at first, propose to the house, by a motion stating the acts with which the person is charged; then, he may propose to declare such acts to be a breach of privilege, and to order the person complained of to appear at the bar of the house, or to order the sergeant-at-arms to take such person into his custody and to bring him to the bar of the house. R. 181 n. 15; B. 160-1; M. 98-9; C. no. 667; Camp. 49.

2. When the person complained of appears at or is brought to the bar of the house, the Speaker shall acquaint him with the complaint against him, and then he shall interrogate him as to his guilt or innocence. If such person refuses to answer the interrogatories, he shall become guilty of a breach of privilege. If he denies the facts alleged against him, they may be investigated either by the house itself or by a committee. When once the investigation shall be terminated or the report of the committee received, the house shall decide. R. 181 n. 15; B. 160-1; M. 98-9; C. no. 667; Camp. 49.

3. In the event of a breach of privilege committed in a newspaper, the newspaper shall be produced and the paragraphs complained of shall be read. The house, if it thinks it advisable, may afterwards, on a motion without notice, vote a resolution declaring the paragraphs to be a breach of privilege, and then order the printer or the author of the paragraphs to appear at the bar, and it shall proceed as in the case of paragraph 2. R. 181, n. 16; B. 162; M. 99; C. no. 668; Camp. 49.

4. Every person charged with a breach of privilege may, when appearing at the bar of the house, ask for the assistance of a counsel. R. 181 n. 15 part; M. 98.

198. — 1. Except in cases provided for by rule 154, a motion relating to any privilege of the house or of a member may be made at any time, whilst a voting is not in progress, if it refers to a breach of privilege just committed and requires the immediate intervention of the house. R. 183 § 1 and n. 1, 183 § 2; B. 424, 428; Be. 170; M. 264; C. no. 1499; Man. no. 45.

2. It may be made by any member. R. 183 § 3; B. 424; M. 215.

3. It shall take precedence of every other motion and of every matter on the agenda paper. If it concerns any privilege of the

house, it shall take precedence of any motion concerning only the privilege of a member. R. 183 § 1 and n. 3; B. 424, 428; Be. no. 170; M. 264-5; C. no. 1499; Man. no. 45; Reed no. 179.

4. It shall, until disposed of on any subsidiary motion or directly decided, interrupt any business and speech in progress. R. 183 § 4; B. 424; M. 264-5; C. nos. 1499, 1501, 1505.

5. It can be superseded only by an adjournment of the house. R. 183 § 5; Mell no. 170; Reed no. 179.

6. The debate thereon may be interrupted by a question of order or of procedure, a motion to withdraw, or any other incidental motion. R. 183 § 6; Mell no. 156; Reed no. 181.

CHAPTER VII. — QUESTIONS OF ORDER OR OF PROCEDURE AND MOTIONS ARISING THEREFROM.

199. — Every member may take notice of any breach of order or of the rules, and ask that the punishments attached to such breach be applied. R. 184; B. 485; Be. no. 279; M. 315, 338; C. no. 1457; Redl. II, 146.

200. — 1. Notice of a breach of order or of the rules can be taken only at the moment when such breach arises or whilst it endures. R. 185; B. 485-6; M. 338.

2. If, immediately after the occurring of a breach of order or of the rules, a question taking precedence of questions of order or of procedure arises, notice of the breach may, however, be taken as soon as such question has been disposed of. R. 185 n.

3. Moreover, whenever a breach of order or of the rules arises during the entering of the names whilst a voting is in progress, notice of such breach can be taken only after the totals of the voices saying "Aye" and of the voices saying "No" have been declared to the Speaker by the clerk, but it must be taken before the result of voting is declared by the Speaker. R. 186 n.; M. 375; cf. art. 305.

201. — Every question of order or of procedure shall be taken into consideration as soon as it is raised. R. 186; M. 338; C. no. 1459.

202. — 1. Every question of order or of procedure and motion arising therefrom shall, until disposed of by a subsidiary motion

or directly decided, interrupt any business and speech in progress. R. 187 § 1; C. no. 1459.

2. They can be superseded only by an adjournment of the house. R. 187 § 2; Mell no. 156.

3. The debate thereon may be interrupted by incidental questions or motions. R. 187 § 3; Mell no. 156.

203. — 1. A question of order or of procedure not in the form of a motion may be withdrawn without the consent of the house. R. 187 § 2 n. 1.

2. When a question of order or of procedure is withdrawn by the member by whom it was raised, another member may raise the same question, provided he raises it immediately. R. 187 § 2 n. 2.

CHAPTER VIII. — MOTIONS TO PASS TO THE BUSINESS OF THE DAY OR TO ANY BUSINESS OF THE DAY.

204. — 1. A motion to pass to the business of the day, to the following business of the day, or to any particular business of the day, may always be made, except whilst any question of adjournment, of privilege, or of order or procedure, is before the house, or when the previous question has been put. R. 188 § 1; B. 447-8; C. nos. 1377, 1399, 1515.

2. It cannot be amended when it is simply to the effect to pass to the business of the day or to the following business of the day. R. 188 § 2; B. 447-8 et n. *h*; C. no. 1313.

3. It can be superseded only by an adjournment of the house. R. 188 § 3; B. 448 n. *g*; C. no. 1515.

4. The motion to pass to the business of the day shall be made as a distinct motion, not as an amendment. R. 188 § 1 n. 3.

5. The debate on any motion to pass to the business of the day, or to the following business of the day, or to any particular business of the day, cannot be adjourned. R. 188 § 3 n. 1; C. no. 1383.

205. — 1. A motion to pass to the business of the day, or to the following business of the day, or to any particular business of the day, if incidentally proposed, can be made only by a member who is entitled to speak to the question under debate or to the matter pending. R. 189 § 1.

2. It shall interrupt any debate in progress and, if agreed to, shall supersede all questions before the house, whether main, subsidiary or incidental. R. 189 § 2; B. 447; C. no. 1377; Redl. II, 226.

3. If rejected, it cannot be renewed so long as the same question is before the house. R. 189 § 3.

CHAPTER IX. — MOTIONS TO COMMIT.

206. — The reference of a matter to a committee may be proposed by a main or by a subsidiary motion. R. 190; C. no. 1446.

207. — The reference to a committee may be proposed by a subsidiary motion only upon a main motion and upon an amendment to a main motion. R. 191; C. nos. 1388, 1446.

208. — The reference to a committee may be proposed at any phase of the debate, but can only be proposed by a member entitled to speak to the question under debate. R. 191 n. 1; Reed no. 119.

209. — 1. Any motion to commit may be amended. R. 190 n. 2; C. no. 1454.

2. Such an amendment may have for its object to add instructions, and to substitute a committee for another. R. 190 n. 3; C. no. 1454.

210. — 1. Any subsidiary motion to commit shall, until decided, preclude all amendment of the main motion. R. 192 § 1; Be. no. 133.

2. If it is agreed to, the main motion and, if one has been moved, the amendment before the house shall lapse, and the matter shall stand referred to the committee mentioned and not be placed upon the agenda paper until reported by the committee. R. 192 § 2 and n. 1; C. no. 1388.

CHAPTER X. — MOTIONS FOR THE PREVIOUS QUESTION.

211. — 1. The previous question, whose effect is either to have a direct vote on a main motion under consideration or to supersede it, shall be put in the form, "That this question be now put." R. 193 § 1; B. 449; Be. nos. 465-6; C. nos. 1407-8.

2. It may be applied to any main motion that is either amendable or debatable. It cannot be applied, however, to a motion to commit. R. 193 § 2; B. 451; Be. no. 466; M. 276; C. nos. 1414-5.

3. It can be proposed only by a member who is entitled to speak to the motion under consideration. R. 193 § 3.

4. Though it cannot be proposed when an amendment is before the house, it may, however, as soon as the amendment has been disposed of, be proposed on the main motion as first made or as amended, as the case may be. R. 193 § 2 n. 1; B. 451; Be. nos. 468, 475-6; M. 276; C. nos. 1453, 1455.

5. It cannot be amended. R. 193 § 4; B. 450-1; Be. no. 468; M. 276; C. nos. 1453, 1455.

6. It can be superseded only by an adjournment of the house. R. 193 § 5; B. 451; Be. no. 473; M. 276; C. no. 1413.

7. The debate on the previous question may be adjourned. R. 193 § 2 n. 4; B. 451; Be. no. 473; M. 276.

212. — As soon as the previous question has been proposed from the chair, and unless it is withdrawn, no motion relating to the motion upon which it was moved shall be made, except a motion for leave to withdraw. R. 194; B. 451; Be. no. 469; C. nos. 1241, 1417-8, 1436.

213. — 1. If the previous question is resolved in the affirmative, the motion upon which it was moved shall be put forthwith to the vote without any amendment or debate being permitted. The adjournment of the house cannot be moved, or declared, before such motion is put to the vote and decided. R. 195 § 1 and n.; B. 449, 451; Be. no. 471; C. nos. 1406, 1413, 1418, 1424.

2. If resolved in the negative, the motion upon which it was moved shall be superseded. R. 195 § 2; B. 449; Be. no. 471; C. nos. 1408, 1410, 1418, 1424.

CHAPTER XI. — MOTIONS RELATING TO THE READING OF DOCUMENTS AND PAPERS.

214. — 1. When any paper is laid upon the table, any member may move that it be read immediately. R. 196; C. nos. 1472, 1476.

2. If any matter is pending when such a motion is made, the matter shall be interrupted until the motion has been decided and, if adopted, until the paper has been read. R. 196 n. 1; C. no. 1476.

215. — 1. If, in the course of a debate, a minister of the Crown in possession of the floor desires to quote a document not before the house, he may move, without a previous notice, to be authorized to lay the document immediately upon the table. R. 197 § 1; B. 359; M. 237, 624.

2. In the event, the debate in progress shall be suspended until the motion is decided. R. 197 § 2; C. no. 1476.

CHAPTER XII. — MOTIONS FOR SUSPENSION OF ANY RULES.

216. — Any rule, either written or unwritten, may be suspended, unless it is established by an act or statute or by a special order, or it is founded on a well established principle of parliamentary law. R. 198 n. 3, 4, 5; B. 308; C. nos. 790-2, 794, 1434.

217. — 1. The suspension of any rule may be moved either by a main or by an incidental motion. R. 198 n. 1; C. no. 1478.

2. Every motion for suspension of any rule must state the object in view whereof the suspension is moved. R. 198 n. 6; C. no. 1482.

218. — 1. The suspension of any rule may be explicit.

2. It may also follow from the vote of any order which prescribes a course of action inconsistent with such rule, or from the carrying out, without any special authorization, of any act that departs from such rule. R. 198 n. 2, 7; M. 150; C. nos. 1480-1; Redl. II, 8.

219. — 1. The explicit or implicit suspension of any rule can be proposed by a main motion only after a notice thereof has been given. R. 198 n. 9; M. 150.

2. Such suspension may, however, be proposed by a main motion without notice, if the house has previously, on a motion without notice and containing a statement of sufficient reasons, declared that it is urgent to come to a decision as to the suspension of the rule. But the urgency shall only be declared with the unanimous consent of the house, except when the suspension

of a rule has in view the vote of a bill, or of resolutions preliminary to a bill, or of estimates. R. 200 mod.; M. 150.

220. — The house, by unanimous consent, may always, without any special authorization, carry out any act that departs from a rule which it may suspend. C. nos. 1480-1; Reed no. 24.

221. — No motion for suspension of any particular rule, or of the standing orders generally, cannot be amended, except with the unanimous consent of the house. R. 201 § 1; C. no. 1488.

222. — If incidentally made, a motion for suspension of any particular rule, or of the standing orders generally, shall, until decided, interrupt the business in progress. R. 201 § 2; C. no 1479.

223. — When the standing orders generally are suspended, the effect of the suspension shall be limited to the matters in view whereof they have been voted. R. 199; C. nos. 1484, 1489; Redl. II, 8.

CHAPTER XIII. — MOTIONS FOR LEAVE TO WITHDRAW A QUESTION.

224. — Until it has been proposed from the chair, any motion may be withdrawn by, or with the permission of, the member in whose name the notice stands or by whom such motion was proposed. R. 202; B. 421; Be. nos. 377, 453; C. nos. 1233, 1236.

225. — When a member has given notice of a series of proposed resolutions, he may withdraw one or some of them and present the others. R. 203; B. 421; Be. no. 377.

226. — After a motion has been proposed from the chair, it cannot be withdrawn without the unanimous consent of the house, nor in the absence of the member who proposed it. R. 204; B. 418, 422; Be. nos. 453-4; M. 273; C. nos. 1235-6, 1477; Redl. II, 220-1; Man. no. 129.

227. — A motion cannot be withdrawn after it has been put to the vote. R. 205; Man. no. 129.

228. — If a subsidiary, incidental, dilatory or privileged question is proposed or raised while a motion is under debate, leave cannot be given by the house to withdraw the motion until the subsidiary,

incidental, dilatory or privileged question has been withdrawn or decided. R. 206; B. 418-9; Be. no. 457; M. 273-4; C. no. 1238; Camp. 145; Man. no. 129.

229. — **1.** When the proposer of any motion in possession of the house expresses the wish to withdraw it, he shall confine himself to state the motives of his demand, avoiding to provoke any debate; the Speaker, as soon as those motives have been stated, shall, if the demand is regular, put the question, "Is it the pleasure of the house that the motion be withdrawn?" Be. nos. 454, 460; M. 273 n. 2; Camp. 145.

2. Such question cannot be debated. R. 204 n. 4; C. no. 1532.

3. It shall, until decided, interrupt the debate in progress. R. 206 n. 2; C. no. 1477.

230. — **1.** No bill, or proposed resolution, or estimates, can be moved to be withdrawn before the order of the day relating to such bill, proposed resolution or estimates has been discharged on a motion without notice. Camp. 139.

2. A motion for leave to withdraw can be made only by the proposer of the bill, or resolution, or, in case of a government measure, by a minister of the Crown. Be no. 455.

3. No notice shall need to be given of such a motion.

4. It may be debated and it shall be decided by the majority of the voices. M. 310.

CHAPTER XIV. — MOTIONS TO DIVIDE COMPLICATED QUESTIONS.

231. — The house may, on the motion of any member, order a complicated question under debate to be divided. R. 207; B. 419; M. 278; C. nos. 1342-52; Bl. Man. 133; Mell no. 135-6; Reed no. 152; Robert no. 4.

232. — **1.** No question can be divided, unless each of its parts constitutes by itself a distinct proposition, in its wording as well as in its substantial meaning. R. 207 n. 4, 5; C. nos. 1348-9; Mell no. 136; Reed no. 151; Robert no. 4.

2. It shall be for the Speaker to decide whether the question is susceptible of division or not. R. 207 n. 3; C. no. 1348; Mell no. 136; Reed no. 152.

233. — 1. Every motion to divide a complicated question shall state the manner in which the division is proposed to be made. R. 207 n. 2; C. no. 1346; Mell no. 136; Reed no. 152, 193; Robert no. 4.

2. It shall, until decided, interrupt the matter in progress. R. 207 n. 6; Reed no. 199.

234. — When a complicated question has been so divided, the parts thereof shall be separately considered and put to the vote according to the order in which they stand in the complicated question. R. 207 n. 7; C. no. 1346; Mell no. 137.

235. — When a series of resolutions is moved, each resolution shall, upon the demand of any member, be separately proposed from the chair. R. 207 n. 8; Bl. Man. 133.

CHAPTER XV. — MOTIONS FOR THE RESCISSION OF RESOLUTIONS OR THE DISCHARGE OF ORDERS.

236. — 1. Every member may move that a resolution be rescinded, except if it constitutes a negative vote. R. 208 § 1; B. 452; Be. nos. 317, 319; M. 292; Camp. 152.

2. Any motion for the rescission of a resolution shall comprise the whole text of such resolution. R. 208 § 2.

3. A notice shall be given thereof. R. 208 § 1 n. 1; Be. no. 372; M. 294.

237. — 1. Every member may move that an order be discharged. R. 209 § 1; B. 452; Be. no. 317; M. 254, 292.

2. Unless proposed immediately after the reading of the order intended to be discharged, a motion for the discharge of an order shall comprise the whole text of such order. R. 209 § 2.

3. No notice shall need to be given of any motion for the discharge of an order. R. 209 § 1 n. 1; Man. no. 117.

CHAPTER XVI. — MOTIONS TO REVIVE SUPERSEDED ORDERS OF THE DAY.

238. — Any superseded order of the day may be revived, on a motion made after notice. R. 210; B. 323, 334, 449, 679; M. 256-7.

239. — The member in whose name any order of the day was placed upon the agenda paper when it has been superseded shall be entitled to move first the revival thereof. R. 210 n. 1; M. 255.

240. — If an order of the day is revived, the question shall be resumed at the point where it has been interrupted. R. 211; M. 256-7.

TITLE VII.

DEBATES.

CHAPTER I. — MATTERS WHICH MAY BE DEBATED.

241. — Except in cases otherwise provided for by the standing orders, every motion may be debated when it has been proposed from the chair. R. 212; B. 417; M. 304; C. nos. 1532, 1586; Redl. III, 51; Bl. Man. 130, 304; Reed no. 213; Robert no. 3.

CHAPTER II. — RIGHT OF SPEECH.

SECTION I. — *Mode of Obtaining Possession of the Floor.*

242. — **1.** Every member desiring to speak shall rise in his place, uncovered, and address himself to the Speaker, by his title. R. 213; B. 455; C. nos. 374, 1212; Redl. III, 52; Man. no. 145; Bl. Man. 303; Mell no. 56; Reed no. 102; Robert nos. 2, 34.

2. A member may, however, remain seated to address the Speaker, if he is infirm or ill. R. 213 n. 2; B. 455-6; Man. no. 145.

3. A member wishing to address the Speaker whilst a division is in progress shall also do so seated. R. 213 n. 1; M. 303-4.

243. — When a member asks leave to speak, the Speaker shall call on him by name. R. 214; C. nos. 374, 1212, 1216, 1536; Man. no. 146; Reed no. 102; Robert no. 2.

244. — When more than one member asks leave to speak, the Speaker shall call on the member who first asked such leave. R. 215; B. 457-8; M. 304; C. nos. 376, 1216, 1535; Bl. Man. 304; Mell no. 57.

245. — **1.** When two or more members have asked leave to speak at the same time and insist, the Speaker shall forthwith put to the vote the names of such members, without allowing any debate, and call on the member who shall be the first to receive a majority of votes. R. 216 § 1.

2. The names shall be put to the vote in alphabetical order. R. 216 § 2.

3. The vote shall be taken sitting down or standing up. R. 216 § 3.

4. A demand to record the names of voting members cannot be entertained. R. 216 § 4.

SECTION II. — *Preferences Allowed in Assigning the Floor.*

246. — **1.** Except in cases otherwise provided for by the standing orders, the member in whose name any motion or any order of the day has been placed upon the agenda paper, shall be entitled to be heard first when such motion or order of the day is first called for consideration. R. 217; B. 350; M. 254; C. nos. 1535, 1538; Robert nos. 2, 34.

2. The chairman of a select committee who has made a report shall also be entitled to be heard first when such report is first called for consideration. R. 217 n. 1; C. no. 1539; Robert nos. 2, 34.

247. — A member asking leave to second a motion shall be entitled, if such motion must be seconded, to be heard immediately after the proposer of the motion. R. 217 n. 2; C. no. 1228.

248. — When an order of the day is called for the first time, every member may, before the member in whose name it was placed upon the agenda paper obtains possession of the floor, present a petition relating to the subject of such order of the day. R. 217 n. 3; B. 330; M. 229.

249. — Except in cases otherwise provided for by the standing orders, if the member in whose name an order of the day was placed upon the agenda paper is not present or neglects to rise to speak when the order of the day is called, any other may request leave to speak and make such motion as is necessary to give effect to such order of the day. M. 254.

250. — Any member asking leave to raise a question of order or of procedure, or a question of privilege suddenly arising, shall be entitled to be heard in preference to any member asking at the same time leave to speak to the question then before the house. R. 218; C. no. 1535.

251. — The member upon whose motion any debate is adjourned shall be entitled to pre-audience on the resumption of the debate. R. 220; B. 471; Be. nos. 266, 331; M. 254, 306; C. nos. 1535, 1540, 1543; Redl. III, 58; Camp. 164; Man. no. 152; Bl. Man. 310.

252. — On the resumption of an interrupted debate, the member who was speaking when the interruption occurred shall be entitled to be heard first. R. 220 n. 2; M. 263-4, 306; Redl. III, 53; Camp. 164.

253. — **1.** The member who does not avail himself of his privilege to be heard first in cases provided for by rules 251 and 252 cannot afterwards, during the debate, claim the right to be heard by preference. Be. no. 330.

2. In cases provided for by rules 251 and 252, he cannot speak later on the motion under debate, if he has spoken on such motion before the adjournment or the interruption of debate, as the case may be. R. 220 n. 1; B. 471; M. 305-6; Man. no. 152.

SECTION III. — *Exercise and Limitation of the Right of Speech.*

254. — No member shall speak except after having asked leave of the Speaker at the moment he wishes to speak and been called on. R. 221 and n.; C. nos. 374, 1535, 1548; Redl. II, 142; Mell nos. 56, 182; Reed no. 102; Robert no. 2.

255. — **1.** Except in cases otherwise provided for by the standing orders, a member may rise to speak only to a motion before the house, or a motion to be presented by himself, or a question of privilege which he raises, or a question of order or of procedure. R. 222; B. 430-1; M. 270, 307; C. nos. 1556, 1621; Camp. 163; Bl. Man. 303, 305, 308.

2. The member who seconds a motion needing to be seconded may speak before such motion is proposed from the chair. R. 222 n. 5; C. no. 1557; Bl. 173.

256. — No member may speak to any question after the Speaker has declared the decision of the house, or has declared that the Ayes or Noes have it. R. 223; B. 500-1; Be. no. 260; M. 304; C. nos. 1610, 1612; Camp. 163; Man. no. 156; Bl. Man. 304; Reed no. 220.

257. — Except in cases otherwise provided for by the standing orders, every member shall be entitled, at each stage of the same matter, to speak to each motion or question regularly before the house. R. 230 n. 4; C. no. 1591.

258. — The Speaker shall not take part in any debate before the house. R. 224; B. 282; M. 364; C. no. 300; Redl. II, 134.

259. — A member may speak to a question in which he has a pecuniary and direct interest, even when the question is not of public policy. R. 262 n. 5; B. 512; Redl. II, 238; Camp. 158.

260. — **1.** A member who has, whilst a motion is under debate, proposed or seconded the previous question, or any amendment to such motion, or the committal of such motion, or an adjournment of the house or of the debate, or the calling of any business of the day, shall be held to have spoken to the motion which was under debate as well as on the new motion made, except in the cases provided for by rule 263. R. 225, 226; B. 470-1; Be. nos. 325-6; M. 306, 314-5; Camp. 167; Bl. Man. 309; Bl. 174.

2. Paragraph 1 shall not apply, however, when the proposal to adjourn the debate has been withdrawn, or has been adopted. R. 225 n., 226 n.; Bl. 107, 109.

261. — When an order of the day is proposed from the chair without the member in whose name it stands rising to address the chair, or to declare that he moves such order of the day, he may speak to his motion during a subsequent period of the debate. R. 227; B. 469; Be. no. 332; M. 314; Redl. III, 57; Camp. 168, 182; Man. no. 150.

262. — The member in whose name a motion not being an order of the day, or a motion to give effect to an order of the day, has been proposed from the chair shall be held to have spoken to such motion. R. 228 n. 1, 2; B. 470; M. 314; Man. no. 150.

263. — When a member seconds a substantive motion or an amendment without rising to declare that he seconds such motion, or to otherwise address the chair, he may speak to such motion or amendment during a subsequent period of the debate. R. 228; B. 469; Be. no. 333; M. 314-5; C. no. 1585; Man. no. 150.

264. — **1.** By the indulgence of the house, a member may, although there is no question before the house, make an explanation on any fact which does not constitute a breach of privilege, but which concerns him in his capacity of member, or concerns an absent, ill or suspended colleague in his capacity of member. But he must not then enter on any controversial matter, and no debate can ensue on the explanation. R. 229 § 1 and n. 3; B. 475-6; Be. nos. 175, 191, 196; M. 312 and n. 3; C. nos. 1565, 1567; Camp. 131, 167; Man. no. 148; Bl. Man. 306-7.

2. When explanations are made in reference to ministerial changes, the leader of the opposition may, however, make some remarks thereon. R. 229 § 2; B. 477; Be. no. 193.

265. — **1.** No speech shall last more than one hour. R. 229a § 1.

2. The above restriction, however, shall not apply to a speech made:

(1) By the prime minister, or by the member occupying the recognized position of leader of the opposition in the house;

(2) By the minister in whose name the matter under discussion stands upon the agenda paper, or by the member of the opposition speaking in reply immediately after such minister;

(3) By a member proposing a vote of blame, censure or want of confidence against the government, or by the minister replying thereto. R. 229a § 2.

266. — No member may speak twice to a question, except to reply or to explain. R. 230; B. 469; Be. no. 324; M. 312, 314; C. nos. 1582, 1594; Redl. III, 56; Camp. 166-7; Man. no. 149; Bl. Man. 309; Mell no. 187.

267. — The right of reply shall only be allowed to a member who has moved a substantive motion, or the second reading of a public bill not based upon resolutions adopted in committee of

the whole house. R. 231; B. 469, 649-50; Be. no. 324; M. 314; C. no. 1605; Redl. III, 57; Camp. 167.

268. — A member, when exercising the right of reply, shall confine himself to answering the previous speakers, and he shall not be allowed to allege any new facts or arguments to support the proposal under debate. R. 232; C. nos. 1606-7.

269. — The reply of the proposer of a motion shall close the debate thereon; but it is the Speaker's duty to see that every member wishing to speak has the opportunity to do so before the final reply. R. 233; C. no. 1606; Redl. III, 57; Bl. Man. 311; Robert no. 134.

270. — **1.** A member who has spoken to a question may again be heard to explain himself, and as many times as it is necessary, in regard to some part of his speech which has been misquoted or misinterpreted; but he must confine himself to stating the words used, or the meaning of his language, without introducing new arguments, or replying to other members, or endeavouring to censure any one, or referring to any previous debate; and no debate can ensue on the explanation. R. 234 § 1 and n. 1, 2; B. 471-2; Be. no. 263; M. 313; C. nos. 1595-6; Redl. III, 57; Camp. 167; Bl. Man. 307; Bl. 223-31; Bourke 201-5.

2. An explanation can be offered only at the conclusion of the speech which calls for it, unless the member in possession of the house gives way and resumes his seat. Such member, if he has given way, shall resume his speech as soon as the explanation has been given. R. 234 § 1 n. 3; M. 307, 313; C. no. 1597; Bl. Man. 307; Mell no. 187; Bl. 223-4.

3. Whatever a member says in explanation as aforesaid must be taken as true and not afterwards called in question. R. 234 § 2; B. 473; C. no. 1599; Bl. Man. 308.

271. — A minister of the Crown who has spoken to a motion for the production of papers or for the house to resolve itself into committee of supply or committee of ways and means, may again be heard, and as many times as it is necessary, to explain or state, if need there be, facts which have been brought up in the debate after his first speech; but he must confine himself to explaining or stating such facts. R. 235 and n.; B. 473, 588; M. 313; C. no. 1603.

CHAPTER III. — SPEAKING.

SECTION I. — *Rules to be Observed whilst Speaking.*

272. — Every member who has been called upon to speak may, as he pleases, use the French or the English language. B. N. A. A. s. 133.

273. — **1.** Except in cases otherwise provided for by the standing orders, every member who has been called upon to speak must direct his speech to the question which he raises, to the question which he intends to propose or to second, or to the question then before the house, and he shall not be allowed to digress, except in rebuttal to digressions. R. 236 § 1; B. 464; M. 270, 307, 310-1; C. nos. 1618-21, 1643-5; Redl. III, 56; Camp. 165-6; Man. no. 147; Bl. Man. 311; Mell no. 183; Reed no. 216.

2. If more than one question is before the house, he must direct his speech to the question he intends to propose or to second, or, except in cases otherwise provided for by the standing orders, to the undisposed question last proposed. R. 236 § 2; C. nos. 1619, 1621, 1623; Man. no. 147; Reed no. 216.

274. — **1.** When a motion is made, during a debate, for the adjournment of the debate or of the house, the debate thereon must be confined to the desirability of adjourning the debate or the house, as the case may be. R. 238; B. 467-8; M. 308; C. no. 1625; Redl. III, 56; Camp. 147; Man. no. 151.

2. When a main motion is made for the adjournment of the house, any matter of administration shall be open for discussion, except one which would entail legislation, or can be raised only on a direct motion. M. 309; Camp. 166.

275. — When the previous question is proposed, the merits of the main question shall be open to discussion as well as the previous question. R. 239; C. nos. 1418, 1627.

276. — **1.** When an amendment under debate would, if adopted, have the effect of suppressing the main question upon which it is proposed, the merits of the main question shall be open to discussion as well as the amendment. R. 240; Be. no. 406; M. 282; C. nos. 1628-30.

2. When an amendment under debate would not, if adopted, have the effect of suppressing the main question upon which it

is proposed, the debate thereon must be confined to such amendment. Be. no. 411; M. 282.

277. — 1. If any instruction is added to a motion to commit, the merits of the matter proposed to be committed shall be open to discussion as well as the motion to commit. R. 241; M. 307; Mell no. 116; Reed no. 120.

2. When any bill is proposed to be referred again to a committee, the debate shall however be limited to the motion to commit and to the instruction added to it. M. 310.

278. — 1. When any motion to rescind a resolution, or to discharge an order, is made, the merits of the resolution to rescind or of the order to discharge shall be open to discussion as well as the motion. R. 242.

2. When an order of the day is proposed to be discharged, the debate shall, however, be limited to the question of discharge.

279. — When a motion for leave to withdraw any bill, any proposed resolution or any estimates is made, such motion only can be debated. M. 310.

280. — When a motion for suspension of any rule is made, the merits of the matter in view whereof the suspension is proposed cannot be debated.

281. — When a motion to revive any superseded order of the day is made, the merits of the matter to which such superseded order of the day was related cannot be debated. R. 210 n. 2; M. 257 n. 5.

282. — 1. Except in cases hereinafter provided for, a member, whilst speaking, must remain standing in his place, uncovered, and address the chair. R. 243 § 1; B. 455-6; M. 303; C. nos. 378, 380, 1550-2; Redl. II, 142, III, 52, 58; Bl. Man. 303-4.

2. As soon as a member has done speaking, he shall sit down. R. 243 § 1 n. 2.

3. When he sits down, he shall be presumed to have done speaking, unless he has been interrupted. R. 243 § 2; C. no. 1583.

283. — A member, in case of infirmity or illness, may by indulgence of the house, or after having been authorized to do so on a motion without notice, sit whilst speaking. R. 243 n. 3; B. 456 and n. b; Be. nos. 256; M. 303; C. nos. 578, 1551; Camp. 163.

284. — When a member has leave to speak during a division, he shall remain sitting whilst speaking. R. 244; M. 303-4; C. nos. 397, 399, 1551; Redl. III, 58; Camp. 157, 163; Man. no. 139; Bl. Man. 303.

285. — No member, whilst speaking, shall be allowed:

(1) To read his speech; but he shall be permitted to use notes, even full ones; R. 245 (1) and n. 1; B. 458-9; Be. nos. 293, 313; M. 303; C. no. 1553; Redl. III, 59; Camp. 163, 165; Man. no. 153.

(2) To read, from a newspaper or another print, the report of any debate in either house of the Legislature during the current session; R. 245 (2); B. 459; Be. nos. 293, 308; M. 317; C. nos. 1662, 1703, 1706; Redl. III, 59; Man. no. 155; Bl. Man. 313; Bourke 134, 136-7.

(3) To read written or printed papers, or extracts from written or printed papers, referring to any debate of the current session or denying anything said in the house by a member, except to complain of them; R. 245 (3) and n. 4; B. 459-61, 479-80; Be. no. 306; M. 317-8; C. nos. 1662, 1668; Man. no. 155; Bl. Man. 313; Bl. 145.

(4) To read written or printed papers, or extracts from written or printed papers, not directly referring to the subject of the debate in progress; B. 459; C. no. 1664.

(5) To read a paper whose production is demanded or has been refused, or which cannot be received or deposited, R. 245 (3) n. 6, 9; B. 460; C. nos. 1665-7.

(6) To read anything which cannot be said; R. 245 (3) n. 2; B. 459 n. *r*; C. no. 1669.

(7) To refer to any debate of the current session on any bill or question not then under discussion, except for personal explanations or while debating a question of privilege or a question of order or of procedure; R. 245 (4); B. 479; Be. nos. 293, 304; M. 307, 316; C. nos. 1723, 1728; Redl. III, 58; Camp. 166, 168; Man. no. 155; Bl. Man. 312; Bl. 148-50.

(8) To refer to any debate of the current session in the Legislative Council; R. 245 (5); B. 478-9; Be. nos. 293, 307; M. 316, 318; C. nos. 737, 1703, 1706, 1710-1, 1714; Redl. III, 59; Camp. 168; Man. no. 155; Bl. Man. 313; Bl. 153-6.

(9) To refer to any matter pending before the Legislative Council; R. 245 (7); M. 319; C. nos. 737, 1703, 1706, 1713; Camp. 166; Bl. Man. 313; Bl. 120.

(10) To reflect on any vote of the house or on any statute of the Province, except upon a motion for rescinding such vote, or upon a proposal to amend or repeal such statute; but he shall be permitted to reflect on the manner in which a statute is administered by the government, and even to show the inefficiency of such statute, if its efficiency has been asserted by the government in an official document, or by a previous speaker in his speech; R. 245 (8); B. 482; Be. no. 293; M. 316, 319, 323; C. nos. 1740-4; Camp. 168-9; Man. no. 155; Bl. Man. 313-4; Mell no. 185.

(11) To refer to any matter referred to a committee, or standing on or whereof notice has been given in the agenda paper, unless such matter and the one under debate have the same principle as basis; R. 245 (9); B. 334; M. 307; Redl. III, 56; Camp. 166; Bl. Man. 311; Bl. 118.

(12) To refer to the proceedings or votes of any committee before they have been reported to the house; R. 245 (6); B. 550; Be. nos. 518, 665; M. 317, 455-6, 486; C. nos. 1729-30; Camp. 166; Bl. Man. 174; Bl. 152-3; Bourke 112-3.

(13) To utter seditious words; Be. no. 293; M. 316; Camp. 168; Man. no. 155.

(14) To speak irreverently of His Majesty or of any member of the Royal Family, or of the Governor General or person administering the affairs of Canada, or of the Lieutenant-Governor or person administering the affairs of the Province, or to use their names for the purpose of influencing the house in its deliberations; R. 245 (10); B. 462-3; Be. no. 293; M. 316, 320, 324; C. nos. 738, 1706-7, 1715, 1718-22; Redl. III, 60; Camp. 168-9; Man. no. 155; Bl. Man. 314.

(15) To refer to the Speaker, to the Chairman of committees, or to the members, by their names, except when reading written or printed papers; R. 245 (11) and n.; B. 477; Be. no. 293; M. 324; C. nos. 381, 1552, 1671, 1673 n. 1; Redl. III, 61; Camp. 163; Man. no. 155; Bl. Man. 314; Mell no. 186.

(16) To appeal to any member, to defy him to deny certain facts, to call upon him to repeat or deny certain words spoken,

to take advantage of his silence to draw any conclusion or inference, to menace him or to menace the house; R. 245 (12) and n. 1, 2; Be. no. 300; C. nos. 1572, 1674, 1675.

(17) To use violent language, even against strangers; R. 245 (15) n. 1; Bl. Man. 315; Bl. 127.

(18) To indulge in personalities against any member of either house; M. 316; Camp. 168.

(19) To impute, either directly or indirectly, to any member unworthy motives or bad intentions, or to attribute to him any motives, intentions or language not acknowledged; R. 245 (13); B. 481; Be. no. 297; M. 325; C. nos. 1681, 1684, 1688; Redl. III, 62; Camp. 169; Bl. Man. 315; Bl. 124, 147.

(20) To use offensive words against either house of the Legislature or against any member thereof; R. 245 (15); B. 481-4; M. 316, 322, 325-6; C. nos. 732, 1676 f., 1706-7, 1737-42; Redl. III, 61; Camp. 168; Bl. Man. 314-5.

(21) To directly or indirectly accuse the conduct of any member of either house, except on a motion calling in question such conduct. R. 245 (14); B. 482; Be. no. 293; M. 271, 323-4; C. nos 1681 f.; Man. no. 155.

(22) To reflect upon the conduct of the Lieutenant-Governor, the Speaker, or the Chairman of committees, except on a motion calling in question such conduct. R. 245 (16); Be. nos. 293, 305; M. 271, 316, 323-4; Redl. III, 61; Camp. 168; Man. no. 155.

(23) To discuss the conduct or language of members on any committee, except in so far as it has been reported to the house. R. 245 (17); B. 551; Be. no. 66; C. nos. 1729-34.

SECTION II. — *Interrupting Speeches.*

286. — Whilst a member is speaking, no member shall interrupt him, except to request that his words be taken down, to ask permission to put a question or to explain, to raise a point of order or of procedure, to raise a question of privilege suddenly arising, or to call attention to the want of a quorum. R. 246; B. 322 n. v, 456, 474-5; Be. nos. 112, 312; M. 263, 306-7, 315-6; C. nos. 1214, 1218-22, 1746, 1749; Redl. III, 56; Camp. 163, 167, 170; Bl. Man. 304; Mell nos. 59-61, 153, 170, 182, 192; Reed no. 17; Robert no. 2.

287. — 1. When a member objects to words used by any member whilst speaking, he may request that the latter be called to order, or move that such words be taken down by the clerk. R. 247 § 1; B. 485, 489-90; Be. no. 282; M. 316, 327-8; C. nos. 1457, 1691, 1698, 1768; Bl. 137.

2. Such request or motion must be made at the moment when the words have been uttered. R. 247 § 2; B. 485-6, 490; Be. no. 282; M. 327, 338; C. nos. 1691, 1767; Man. no. 160; Bl. Man. 320; Mell no. 197; Reed no. 199.

288. — If the member objecting to words uttered simply requests a call to order, he must first state wherein the words uttered are disorderly; then the Speaker, after hearing the point discussed, shall decide, subject to an appeal to the house. R. 248; B. 485-6; M. 316, 338; C. nos. 1750-2; Reed no. 184; Bl. 137.

289. — 1. If the member objecting to words uttered moves that they be taken down by the clerk, he shall state them either verbally or in writing as accurately as possible. R. 249 § 1; B. 489; Be. no. 282; M. 327-8; C. nos. 1768, 1770; Man. no. 160; Mell no. 194.

2. If the Speaker decides that the words stated are not unparliamentary, the motion shall not be received, nor the words taken down by the clerk, unless the house, on an appeal, decides otherwise. R. 249 § 2; B. 489; Be. no. 282; M. 191-2, 328; C. no. 1769; Man. no. 160; Mell no. 194.

3. If the motion is proposed from the chair and adopted, the words complained of shall be taken down by the clerk, and read by the Speaker to the member who was speaking. R. 249 § 3; C. nos. 1769-70; Mell no. 195.

4. If the latter denies having used them, the house shall, on motion, decide whether they were his words. R. 249 § 4; B. 490; Be. no. 282; C. nos. 1769-70; Mell no. 195.

5. If he does not deny that they were his words, or if they have been so declared by the house, he must then explain or retract the same, or offer apologies for the use thereof, in a satisfactory manner. R. 249 § 5; B. 490; Be. no. 282; C. nos. 1769, 1771; Bl. Man. 320; Mell no. 195.

290. — As soon as an interruption has ceased, the member who was speaking shall resume his speech, unless the effect of the in-

terruption be to deny him the right to speak or to put an end to the debate in progress. R. 187 n. 3; Mell no. 153; Robert no. 14.

291. — Every member may of right require the motion in discussion to be read at any time during the debate, but not so as to interrupt a member speaking. R. 250; B. 475; C. no. 1249.

TITLE VIII.

VOTING.

CHAPTER I. — PUTTING TO THE VOTE.

292. — **1.** If no member rises to speak to the motion before the house, the Speaker shall put the motion in its original or amended form to the vote by asking in both languages the members who are in favour of the motion to say "Aye" and those who are not to say "No" to the question, "Shall this motion be adopted?" R. 251; B. 499; Be. no. 66; Man. 278-9; C. nos. 385, 1610; Redl. II, 221; Camp. 143, 145; Man. no. 131.

2. In the case of a motion which can be adopted only with the unanimous consent of the house, the Speaker shall put the question, "Is it the pleasure of the house that . . . ?" R. 251 n. 4; C. nos. 384, 1611, 1793; cf. Camp. 145.

293. — **1.** The Speaker, before putting to the vote a motion which has been debated, shall ask, "Is the house ready for the question?"; then, if no member rises to speak, he shall propose again the motion as first presented or as amended, as the case may be. R. 251 n. 2, 252 § 1; B. 499; Be. no. 65; M. 278-9 and n. 1; C. no. 1794; Man. no. 133.

2. In case of an amendment, he shall also again read or state the main motion, and in case of an amendment to any amendment, the main motion and the main amendment. R. 252 § 1; B. 499; Be. no. 65.

294. — Any member present while a motion has been read or stated in either language, may require that it be read or stated again in the other language. R. 253; B. 504.

CHAPTER II. — MODES OF VOTING.

SECTION I. — *Ordinary Mode of Voting.*

295. — Except in cases otherwise provided for by the standing orders, every motion put to the vote shall be decided by the majority of voices saying "Aye", or of voices saying "No". R. 254; B. 499-500; Be. no. 66; M. 279 n. 1; C. no. 385; Redl. II, 222; Camp. 145; Bl. Man. 90; Mell no. 33.

296. — When it is prescribed in the standing orders that something may be done by leave or by the indulgence of the house, it can be done only with its unanimous consent. R. 254 n. 2; Bl. 90-1.

297. — **1.** After the voices are given, the Speaker shall state whether, in his opinion, the Ayes or Noes have it, and immediately declare the motion adopted or rejected, as the case may be, unless the entry of the names upon the journal is demanded by five members. R. 255; B. 500; Be. no. 66; Man. 279; C. nos. 385-6; Man. no. 133; Mell no. 71.

2. The entry of the names may be demanded even if no "No" has been said. R. 255 n. 2; B. 500 n. b.

3. At the demand of any member, the Speaker may, if no member objects, declare any motion to be adopted *nemine contradicente*. M. 281; Camp. 145.

SECTION II. — *Voting with Entry of Names.*

§ 1. — Preliminary Proceedings.

298. — **1.** When the entry of names is demanded, the Speaker shall order the sergeant-at-arms to call in the members. The sergeant-at-arms shall then cause the division bells to be rung at intervals during two minutes. R. 256; B. 500-1; Be. no. 66; C. nos. 441, 1815; Redl. II, 234.

2. However, at the demand of one of the members calling for the entry of names, the Speaker, with the unanimous consent of the house, may, without proceeding to the entering of the names, order the votes and proceedings merely to mention that the motion has been adopted or rejected after entering of the names as

on a previous division or, as the case may be, as on a previous division, but reversed. R. 271 n.; B. 506.

299. — When the bells are rung preparatory to a division, all the members shall take their places. R. 257.

§ 2. — Entry of the Names.

300. — When the division bells have ceased to ring, the Speaker may, if he thinks it convenient, wait for two minutes more before resuming the proceedings of the voting; but, at the expiration of these two minutes, he shall again put the motion to the vote as provided for by rule 293, and direct successively those who are in favour of the motion and those who are not, to rise. The members shall rise in rows after the leaders of the government or of the opposition have risen according to the order of precedence established between them. The clerk assistant shall call out the names of the members as they shall stand up, and the names shall be marked by the clerk. After all the names of the members voting have been marked, the clerk shall count up the votes on each side and declare the totals to the Speaker, who shall thereupon declare the motion adopted or rejected, as the case may be. R. 258; B. 501-3; Be. no. 66; M. 358; Redl. II, 234.

301. — In case of a division with entry of the names, no member can either enter the chamber after the Speaker has begun to again put the motion to the vote, or leave the chamber until the result of the voting has been declared by the Speaker. R. 259; B. 503 n. j; Be. no. 71; M. 356; C. no. 1810; Bl. Man. 91.

§ 3. — Right and Duty to Vote.

302. — Every member present shall be required to vote. R. 260; B. 504; M. (11th) 357; C. no. 393; Redl. II, 235; Bl. Man. 92.

303. — **1.** No member shall vote in any division with entry of the names unless he was present within the bar when the motion was again put in both languages to the vote in conformity with rule 300. R. 261 § 1 and n.; B. 503-4; Be. no. 67; M. (11th) 354-7; C. no. 394.

2. The vote of any member who was not so present shall be disallowed by the Speaker, if notice of the irregularity has been

taken in conformity with rule 305. R. 261 § 2 and n.; B. 503-4; C. no. 394.

304. — No member shall be entitled to vote upon a question in which he has a direct pecuniary interest, except in case the question is of public policy. R. 262; B. 509-12; Be. no. 94; M. 369-70; C. nos. 1789, 1791, 1839-47; Redl. II, 238; Camp. 158; Man. no. 144; Bourke 216.

§ 4. — Errors and Irregularities in Entering the Names.

305. — 1. If, before the result of voting is declared by the Speaker, any member calls for the names to be read out, the clerk shall read over first the names of those who have voted in the affirmative and afterwards the names of those who have voted in the negative. R. 263 § 1; B. 503.

2. Every member may then raise a question of order or of procedure and bring notice of any error or irregularity in recording the names; the Speaker shall decide, subject to appeal; then, if necessary he shall order the error or irregularity to be corrected. But no motion can be made at this stage, nor can the appeal from the decision of the Speaker be submitted to the house before the proceedings of the voting have been terminated. R. 263 § 2 and n. 5; B. 503; Be. nos. 72-3; M. 375-6; C. nos. 394, 396, 1808-9, 1812, 1833, 1837; Bl. Man. 322.

3. It shall not be out of order for any member to give a voice different from the one which he has given in the ordinary voting, to vote against a motion which he has made or seconded, to vote against a main motion after having voted against an amendment to such motion, to vote with the majority after having demanded the entry of names. R. 263 § 2 n. 1, 2, 3; B. 500 n. b; Be. no. 80; M. 280; C. no. 1229.

4. If a member present has not voted and the attention of the Speaker is directed to the fact before the result of the vote is declared, he shall be called upon by the Speaker to declare on which side he votes, and his name shall be recorded accordingly. R. 263 § 3; B. 504; Be. no. 68.

306. — 1. Once given, a voice cannot be withdrawn or changed. Be. no. 78; m. 375.

2. If, by inadvertence, a member has voted in a sense contrary to his intention, he may, however, on a motion after notice, be

allowed to correct his error with the unanimous consent of the house. R. 264; B. 505; Be. nos. 72, 85; M. 375.

307. — Any error in the numbers on a division may be afterwards corrected by the clerk, except when the result of the voting would be affected by such correction. R. 265.

308. — If any error cannot be otherwise corrected, a second division shall be taken. R. 266; Man. no. 140.

309. — **1.** On a motion after notice, the house may order a division list entered in the votes and proceedings to be corrected. R. 265 n. 1; B. 505; M. 366; Bl. Man. 96.

2. If the correction, as ordered, has for effect to change the result of the voting, all proceedings made in consequence of the vote shall become null and void. R. 265 n. 2; C. no. 1849.

310. — **1.** The vote of an interested member can be rejected only on a substantive motion, after notice. R. 267; B. 510-1; Be. no. 96; M. 373; Redl. II, 238; Man. no. 144.

2. A distinct motion shall be made as to each interested member whose vote is desired to be rejected. Hansard, 4th Ser., vol. 93, p. 207 f.

311. — If it is decided that a member has no right to sit, the votes which he has given without right may, upon a motion, after notice, be struck off the journals and the printed votes and proceedings. R. 268; B. 513.

§ 5. — Equality of Voices.

312. — The Speaker shall not vote, except in case of an equality of voices; but in case of an equality of voices, he must vote. He may vote according to the opinion which he has upon the question, or in such a manner as to leave to the house another opportunity of deciding the question. R. 269; B. N. A. A. s. 49, 87; B. 506-7; Be. nos. 89-90; M. 361-5; C. nos. 300-1, 307, 311, 1806; Redl. II, 134-5, 237; Camp. 157; Man. no. 141; Bl. Man. 96-7.

313. — The Speaker, when voting, shall not be bound to state his reasons; but if any are stated, they shall be entered in the journal. R. 270; B. 507; Be. no. 90; M. 361; C. nos. 311, 1806; Redl. II, 135, 237; Man. no. 141; Bl. Man. 97.

SECTION III. — *Voting with Mention of Dissent.*

314. — Any member who is opposed to the unanimous adoption of a motion, but does not wish to have the names recorded, may require that it be entered in the journal as carried "on division"; and the Speaker, unless the entry of names is demanded by five members, shall order it accordingly. R. 27; B. 506.

TITLE IX.

COMMITTEES.

CHAPTER I. — COMMITTEES OF THE WHOLE HOUSE
IN GENERAL.SECTION I. — *Appointment and Constitution of Committees of the Whole House.*

315. — A committee of the whole house shall be appointed by a resolution that the house will, either immediately or at a specified future time, resolve itself into a committee to consider some definite subject. R. 272; B. 517; Be. no. 483; M. 445; C. nos. 1970, 1987; Redl. II, 199; Camp. 208; Man. no. 60; Bl. Man. 180.

316. — **1.** When the house has decided to immediately resolve itself into a committee, or when an order of the day has been read for the house to resolve itself into a committee, the Speaker shall forthwith propose the motion, "That I do now leave the chair", unless it is proposed, on a motion without notice, to discharge such order and to refer the matter to a select committee, or unless a notice has been given that an instruction would be proposed. R. 273 and n. 2, 3; B. 517-9, 651; M. 445; C. nos. 1972-4, 1989, 1992; Camp. 200; Bl. Man. 180.

2. On the motion for the house to resolve itself into a committee, the details of the bill or proposed matter in view whereof it is made cannot be debated. R. 273 n. 9; B. 651; M. 397; Bl. Man. 183-4.

3. Such motion may be amended, but not by adding words. The object of every proposed amendment can only be to substitute a reference to a select committee for the reference to a committee of the whole, to supersede the main motion, or to postpone the sitting of the committee to a more or less remote day. R. 272 n. 6, 7, 8; B. 518, 651; Be. no. 420; M. 287; C. no. 1991.

4. If such motion is agreed to, the Speaker shall leave the chair and the sitting of the house shall stand suspended as long as the committee is sitting. R. 273, mod.; B. 517-8; C. nos. 1973-4; Bl. Man. 180.

317. — When the house has given leave to a committee of the whole house to sit again, the Speaker shall, when the order for the committee has been read, forthwith leave the chair without any question being put. R. 274; B. 521; Be. nos. 220, 517; Camp. 209; Bl. Man. 180.

318. — As soon as the Speaker has left the chair, the mace shall be placed under the table and the Chairman of committees or, if absent, the temporary chairman appointed by the Speaker before leaving the chair shall take the chair of the committee in the seat of the clerk, at the table. R. 275 and n. 1, 2; B. 519; Be. nos. 483, 498; M. 402, 406, 445-6; C. nos. 1973-4; Redl. II, 200; Camp. 209; Man. no. 62; Bl. Man. 181.

SECTION II. — *Quorum of Committees of the Whole House.*

319. -- The quorum for the house as a committee is the same as for the house as an assembly. R. 276; M. 224; C. no. 1995; Redl. II 200; Bl. Man. 180; Mell no. 221.

320. — **1.** When it appears to the Chairman, either after counting the members or upon a division, that there is no quorum present, he shall immediately inform the Speaker thereof, without making any further report. R. 277 § 1; B. 525; Be. no. 43; M. 224; Bl. Man. 52, 181; Mell no. 221.

2. If the Speaker, after counting the members, declares that a quorum is present, the house shall forthwith again resolve itself into a committee, without any motion being proposed. R. 277 § 2; B. 525; M. 224; Bl. Man. 181.

SECTION III. — *Powers of Committees of the Whole House.*

321. — A committee of the whole house can consider such subjects only as have been referred to it by the house or as have been, later on, authorized by special instruction of the house to be examined. R. 278 and n.; B. 522; M. 449; C. no. 1996; Bl. Man. 181-2.

322. — A committee of the whole house cannot refer a matter to any other committee or to a sub-committee. R. 279; C. no. 1999; Mell no. 219; Reed no. 97.

323. — Disorder in a committee of the whole house can be censured by the house only, after receiving a report thereof. R. 280; B. 492, 519, 521; M. 450, 452; C. no. 1998; Mell no. 219.

324. — **1.** A question of privilege and a motion concerning a question of privilege cannot be entertained by a committee of the whole house. R. 281; M. 265, 451; C. nos. 2000, 2019; Camp. 49.

2. When a breach of privilege having just occurred in a committee of the whole house and requiring an immediate action from the house is brought to notice by a member, the committee shall forthwith report progress so that the house may decide upon the incident. R. 281 n. 1; M. 264, 451; Camp. 49.

SECTION IV. — *Proceedings of Committees of the Whole House.*

§ 1. — General Provisions.

325. — Unless it is otherwise provided for, committees of the whole house shall be governed in their proceedings by the same rules which prevail during a sitting of the house, *mutatis mutantis*, and the duties and powers of the Chairman of a committee of the whole shall be analogous to those of the Speaker. R. 282 and n.; B. 517; M. 448, 450; C. nos. 1979, 1994; Redl. II, 200; Camp. 210, 309; Man. no. 69; Bl. Man. 180.

§ 2. — Maintenance of Order.

326. — In committee of the whole house, no appeal shall be made from the ruling of the Chairman on any point of order or of procedure, except to the house itself. R. 283; B. 519-20.

327. — When an appeal is made to the house regarding the decision of the Chairman on a point of order or of procedure the Chairman shall forthwith leave the chair and report in writing the point in dispute to the Speaker. The Speaker shall then submit the point to the house who shall decide thereon without debate; and the house, thereafter, shall forthwith again resolve itself into a committee, without any motion being made. R. 284; B. 519-20; Be. no. 534.

§ 3. — Motions.

328. — In committees of the whole house, a motion shall not need to be preceded by a notice, except in the cases provided for by rules 643 and 644. R. 285 n. 1.

329. — In committee of the whole house, a motion shall not need to be seconded. R. 285; B. 522; M. 271, 452; C. no. 2000; Redl. II, 200; Camp. 144, 210; Man. no. 64.

330. — **1.** In committee of the whole house, the previous question, or the adjournment of the house, or the adjournment of the debate, cannot be moved. R. 286; B. 523, 525; Be. nos. 472, 538; M. 276, 449, 453; C. nos. 1997, 2004; Redl. II, 200-1; Camp. 148, 210; Man. no. 64; Bl. Man. nos. 182, 184; Mell nos. 218-9.

2. In special circumstances, and with the unanimous consent of its members, a committee of the whole house may, however, suspend its sitting. R. 286 n.; M. 453 n. 4.

331. — **1.** During the proceedings of a committee of the whole house, a member may always move that progress be reported to the house and leave be asked to sit again. R. 287 § 1; B. 523-4; Be. nos. 531, 538; M. 454-5; C. no. 2005; Redl. II, 201; Camp. 210; Man. nos. 67, 191; Bl. Man. 182.

2. Such motion shall be made in the form, "That the committee do now report progress and ask leave to sit again." R. 287 § 2; B. 523; Be. nos. 351, 358; M. 455; C. no. 2005; Redl. II, 201-2.

3. It shall take precedence of any other motion, except a motion for the chairman to leave the chair. R. 287 § 3.

4. It cannot be amended. R. 287 § 4.

5. It may be debated according to the rules relating to motions to adjourn the debate. R. 287 § 5; cf. rule 274 § 1.

6. The effect of such a motion, when adopted, shall be to adjourn the proceedings of the committee. R. 287 § 6; B. 523; Be. nos. 531, 538; M. 455; C. no. 2005; Redl. II, 202; Man. no. 67.

7. If rejected, such motion cannot be renewed unless some intermediate proceeding has been had. R. 287 § 7; B. 524 and n. *p*; Be. no. 538; Man. 455; C. no. 2009.

332. — 1. During the proceedings of a committee of the whole house, a member may always move that the Chairman leave the chair. R. 288 § 1; B. 523-4; Be. nos. 532, 538; M. 455; C. nos. 2005, 2008; Redl. II, 202; Man. no. 67.

2. Such motion shall be made in the form, "That the Chairman do now leave the chair." R. 288 § 2; R. 524; Be. nos. 532, 538; M. 455; C. nos. 2005, 2008; Redl. II, 202.

3. It shall take precedence of any other motion, except a motion for the committee to report progress. R. 288 § 3; C. no. 2009.

4. It cannot be amended. R. 288 § 4.

5. It may be debated according to the rules relating to motions to adjourn the house. R. 288 § 5; cf. rule 274 § 2.

6. If adopted, it shall terminate the proceedings of the committee and supersede the matter before the committee. R. 288 § 6; B. 524; Be. nos. 533, 538; M. 256, 455; C. no. 2008; Redl. II, 202; Man. no. 67; Bl. Man. 182, 186.

7. If rejected, it cannot be renewed unless some intermediate proceeding has been had. R. 288 § 7; B. 524 and n. *p*; Be. no. 538; M. 455; C. no. 2009.

333. — 1. In committee of the whole house, every amendment concerning a text under consideration shall be proposed upon such text, and not upon the question as proposed from the chair. R. 285 n. 3, 462 n. 10; B. 665; Be. no. 78; M. 398, 407; Man. no. 184.

2. The dividing of one clause or paragraph into two or more or the consolidating of two clauses or paragraphs or more into one may be proposed. R. 462 n. 14; M. 408-9.

3. No motion to strike out an entire clause or paragraph under consideration, or to replace an entire clause or paragraph under consideration by another, shall be allowed to be made. R. 462 n. 15; M. 407; Camp. 192.

334. — In committee of the whole house, no general resolution shall be allowed to be moved with respect to any particular clause or paragraph, and no resolution shall be allowed to be moved as an alternative to a proposed resolution recommended by the Lieutenant-Governor. R. 289; B. 590; Be. no. 506; M. 546.

335. — In committee of the whole house, no new clause or amendment shall be allowed to be proposed which calls in question a previous decision of the committee, unless a recommittal of the matter has intervened. R. 290.

§ 4. — Bringing the Questions under Consideration.

336. — In committee of the whole house, the Chairman shall propose every clause or paragraph by putting the question, "Shall this clause be adopted?" or "Shall this paragraph be adopted?" R. 298; B. 662.

337. — In committee of the whole house, amendments shall be proposed prior to the clauses or paragraphs to which they relate. The Chairman shall propose them by putting the question, "Shall this amendment be adopted?" R. 299.

338. — If an amendment has been adopted, the Chairman shall forthwith propose the clause or paragraph as amended by putting the question, "Shall this clause as amended be adopted?" or, "Shall this paragraph as amended be adopted?" R. 300.

339. — 1. When many amendments are moved upon a clause or paragraph, the Chairman shall propose each amendment in such a manner as not to exclude any other. R. 462 n. 22; M. 403-4.

2. Subject to paragraph 1 and to rule 340, amendments moved by the member in charge of the matter under consideration shall be proposed from the chair before those moved by other members. R. 462 n. 24; M. 411; Redl. III, 94; Man. no. 182.

340. — When a committee of the whole house has to decide either between two sums, or between two periods of time, the least sum or the longest period shall first be put to the question. R. 301; M. 453; C. no. 2003; Bl. Man. 201; Reed no. 154.

§ 5. — Debates.

341. — In committee of the whole house, members shall not be bound to speak from their places. R. 291.

342. — When a proposition submitted to a committee of the whole house consists of several clauses or paragraphs, it shall be considered clause by clause, or paragraph by paragraph, in their natural order. R. 292; R. 589-90, 661-2; C. no. 1933; Man. no. 180.

343. — In committee of the whole house, no clause or paragraph can be discussed before it has been proposed by the Chairman. R. 294; B. 590; Bl. Man. 326.

344. — Until a clause or paragraph has been disposed of by the committee, its consideration or discussion may be postponed, unless such clause or paragraph is an effective one and the other clauses or paragraphs to be considered are subordinate ones. R. 293, 446 n. 25; B. 663; Be. no. 801; M. 409; Camp. 193; Man. no. 186.

345. — In committee of the whole house, when a clause or paragraph has been adopted, no reference or amendment can be made thereto, except if the matter has been referred again to the committee or if the vote on such clause or paragraph has been rescinded by the committee. R. 295 and n.; B. 590, 662; C. no. 1933.

346. — 1. In committee of the whole house, a member may speak to the same question as often as he pleases, provided he speaks no more than one hour on the whole upon the same clause, the same paragraph, the same motion or the same point of order or of procedure. R. 296 mod.; M. 449; C. nos. 1594, 1604, 2001; Redl. II, 200, III, 57; Camp. 166, 201; Man. no. 64.

2. The above restriction, however, shall not apply to the prime minister, the member occupying the recognized position of leader of the opposition in the house, or the member in whose name the matter under consideration stands upon the agenda paper.

347. — The member who was speaking when a sitting of the committee of the house was interrupted, suspended or postponed shall not be entitled to speak first when the sitting is resumed. M. 455.

348. — In committee of the whole house, any member not having yet spoken to a question shall have precedence of any member having already spoken to such question. R. 219; C. no. 1544; Bl. Man. 311; Robert no. 2.

349. — In committee of the whole house, the Speaker may join in any debate. R. 291 n. 2; M. 364; Camp. 51, 53.

350. — In committee of the whole house, when unparliamentary words are taken down, the Chairman shall report them to the house, unless the offending member explains or retracts the same, or offers apologies for the use thereof, in a satisfactory manner. R. 297; B. 492, 521; Be. nos. 284, 286, 530; M. 328, 450; Bl. Man. 51.

§ 6. — Voting.

351. — In committee of the whole house, a vote shall be taken sitting down or standing up, if required by any member immediately after the taking of an ordinary vote; but the names cannot be entered. R. 303; B. 522; Be. no. 537.

352. — In committee of the whole house, the Speaker may vote. Be. no. 282; Camp. 51, 53.

353. — In committee of the whole house, the Chairman shall sign his initials at the side of every clause or paragraph disposed of or added by the committee, and his name at the end of any bill or proposed resolution wholly considered by the committee. R. 302; B. 522; Bl. Man. 51.

354. — **1.** The clerk assistant shall act as clerk of any committee of the whole house and keep a record of its votes. R. 304 § 1; B. 522; M. 448; C. no. 1970; Man. no. 29.

2. Only the text of the resolutions to be reported shall, however, be entered in the journal. R. 304 § 2; B. 522-3.

SECTION V. — *Rising of Committees of the Whole House.*

355. — **1.** If all the matters referred to a committee of the whole house have not been considered when the hour comes to rise, the Chairman shall report progress and ask leave to sit again, without any question being put. R. 305 § 1; Camp. 211; Man. nos. 66, 191.

2. Every dilatory motion then pending shall lapse. R. 305 § 2; M. 215.

356. — When all the matters referred to a committee of the whole house have been considered, the Chairman shall report the same to the house, without any question being put. R. 306.

357. — When the Chairman of a committee of the whole house has been ordered to make a report to the house, he shall forthwith leave the chair. R. 307; Be. no. 520; Camp. 211.

358. — **1.** Except in cases otherwise provided for by the standing orders, the Speaker, after the house has resolved itself into a committee, shall resume the chair only to receive a report from the Chairman. R. 308 § 1; C. no. 1981; Redl. II, 201.

2. The Speaker shall, however, resume the chair when a message is brought from the Lieutenant-Governor by the usher of the black rod, or when the time is come for holding a conference, or for considering another matter in pursuance of a special order. R. 308 § 2; B. 525-6; Be. nos. 51, 535; M. 451; C. no. 1983; Camp. 210; Bl. Man. 181.

359. — **1.** If any gross disorder arises in committee of the whole house, the Speaker may resume the chair without waiting for a report. R. 309; B. 521; Be. no. 535; M. 450-2; C. no. 1984; Bl. Man. 181.

2. As soon as order has been restored, the Speaker shall leave the chair without any question being put, and the committee shall resume its sitting. R. 309 n; M. 452; Reed no. 94.

360. — **1.** When six o'clock in the afternoon comes, the Speaker shall resume the chair immediately without waiting for a report, except when the consideration of the matter in progress is to be continued at eight. R. 310 § 1; B. 526; Be. no. 536.

2. In case, however, the committee cannot sit at eight, the Chairman must ask for the committee leave to sit again. R. 310 § 2; B. 526; Be. no. 536; Camp. 211.

361. — When the chairman of a committee of the whole house has been ordered to leave the chair, no report shall be made to the house, and the Speaker shall forthwith resume the chair. R. 311; B. 524; M. 414, 455; C. no. 2008; Bl. Man. 186.

362. — When a committee of the whole house rises without report being made and leave to sit again being given, the matter which had been referred to the committee shall be superseded. R. 312; B. 524; M. 455; Redl. II, 202; Camp. 211.

363. — 1. When the proceedings of a committee of the whole house have been interrupted, the house shall again resolve itself into committee as soon as the interruption comes to an end. R. 308 n; Be. nos. 51, 535; M. 451.

2. If the proceedings of a committee of the whole house have not been resumed before the house adjourns, the matter which had been referred to the committee shall be superseded. R. 313.

364. — When the Speaker resumes the chair, the mace shall be forthwith placed again upon the table. Camp. 211.

SECTION VI.—*Reports from Committees of the Whole House.*

365. — Every report from a committee of the whole house shall be brought up and received without any question being put. R. 314; B. 526; Be. no. 521; M. 456.

366. — 1. When a committee of the whole house reports on any bill, the Chairman shall bring in the text of the bill as adopted by the committee and declare whether it has been amended or not. R. 315 § 1; B. 667-8; M. 414-5; C. nos. 2193-5.

2. The other subjects referred to a committee of the whole house shall be reported in the form of resolutions. R. 315 § 2; C. nos. 2011, 2020.

367. — 1. The resolutions and amended bills reported from a committee of the whole house shall be forthwith read once only and without any debate. R. 316 part; M. 415 f.; Camp. 211; Bl. Man. 182, 185.

2. The consideration of resolutions shall be postponed to a future sitting, unless the house consents unanimously to consider them forthwith; but amended bills shall be considered forthwith, unless the house orders the consideration thereof to be postponed. Be. no. 546; M. 415, 506 n. 2; Man. nos. 68, 197.

3. When resolutions or amended bills are considered by the house, they may be agreed to or disagreed to, or agreed to with amendments, or recommitted, either in whole or in part and with or without instructions, to a committee of the whole house or to a select committee. R. 316 part; B. 527, 669-70; Man. nos. 69, 203.

4. Any amendment to such resolutions or amended bills, or any recommittal thereof, or any resolution stating some special reason

against their being agreed to, may be proposed either by a main motion before the motion to agree is presented, or by an amendment to such motion to agree.

368. — Every matter reported by a committee of the house may be referred to such committee or to any select committee, as many times as the house thinks fit. R. 316 n. 5; B. 670; M. 420; Redl. III, 98.

369. — When an amended bill has been reported by a committee of the whole house, the whole bill, and not only the amendments made to it by the committee, may be considered by the house. R. 316 n. 2; B. 669.

370. — No notice can be taken in the house of any proceedings of a committee of the whole house until such proceedings have been reported. R. 317; B. 550-1; Be. no. 518; M. 413, 455-6; Bl. Man. 174.

371. — A committee of the whole house shall lapse as soon as it has gone through the matter referred to it. R. 384 n. 2, p. 79 n. 2 part; Be. no. 664; M. 486; C. no. 1972 n. 1; Mell no. 216; Smith 116.

CHAPTER II. — COMMITTEE OF SUPPLY AND COMMITTEE OF WAYS AND MEANS.

SECTION I. — *Appointment of Committees of Supply and of Ways and Means.*

372. — The committee of supply and the committee of ways and means shall be appointed on a motion without notice at the commencement of every session, so soon as an address has been agreed to in answer to the opening speech. R. 318; B. 190-1; 581-2; Be. no. 484; M. 520; no. 2030; Redl. III, 133; Camp. 234; Man. no. 233.

373. — The committee of supply shall be appointed by a resolution that the house will at a specified time resolve itself into a committee to consider the supply to be granted to His Majesty. R. 319; B. 582; Be. no. 486; C. nos. 2030, 2036.

374. — The committee of ways and means shall be appointed by a resolution that the house will at a specified time resolve

itself into a committee to consider the ways and means for raising the supply to be granted to His Majesty. R. 320; B. 582; Be. no. 487; C. nos. 2036, 2040.

SECTION II. — *Constitution of Committees of Supply and of Ways and Means.*

375. — Whenever an order of the day has been read for the house to resolve itself into the committee of supply or the committee of ways and means, the motion, "That the Speaker do now leave the chair", must be proposed. R. 321; B. 521, 583; Be. no. 488; M. 525; Bl. Man. 198, 217.

376. — 1. Only one amendment can be moved to the motion for going into committee of supply, or of ways and means. R. 167 § 1; B. 583-4; Be. no. 424; M. 527.

2. If any amendment moved is withdrawn, or declared to be out of order, another amendment may be moved. R. 167 § 2; B. 584; Be. no. 492.

3. No amendment can be moved to any amendment to the motion for going into committee of supply, or of ways and means. R. 168 part; Bl. Man. 198; Bl. 305.

377. — 1. Notwithstanding paragraph 1 of rule 273, when the motion is made for the house to go into committee of supply, or of ways and means, it shall be permissible to discuss any matter of public policy coming within the powers of the Legislature, or the government of the Province; but, with the above exception, the discussion shall be subject to the ordinary rules relative to debate. R. 322 part and n. 9; Be. no. 488; M. 526.

2. Notwithstanding rule 172, it shall be permissible, upon such motion, to submit any amendment referring to any hereinbefore mentioned matter; but, with the above exception, the amendment shall be subject to ordinary rules relating to amendments. R. 322 part and n. 9; Be. no. 488.

3. When an amendment has been proposed from the chair, the subject thereof only can be debated. R. 322 n. 8; B. 586; Be. nos. 490-1, 494; M. 527; Camp. 240; Bl. 167.

378. — 1. When an amendment has been adopted to the motion for the house to go into committee of supply, or of ways and means, it may be forthwith moved that the house resolve itself

into such committee immediately, or on a future day. R. 323 § 1; B. 586-7; Be. no. 489; M. 257, 528; Camp. 240; Bl. Man. 184, 199; Bl. 302-3; Bourke 41.

2. When it is resolved to do so immediately, the motion, "That the Speaker do now leave the chair", shall then again be proposed, and such motion may be debated and amended in conformity with rule 377. R. 323 § 2 and n.; B. 586-7; M. 528; Bl. Man. 184, 199.

379. — When an order of the day for the house to go into committee of supply, or of ways and means, has been superseded by an adjournment of the house, it may be revived on the next day upon a motion without notice. R. 323 § 1 n.; B. 587; M. 529; Bl. 41.

SECTION III. — *Rules Applying in Committees of Supply and of Ways and Means.*

380. — Except as herein otherwise provided for, the rules that obtain in committees of the whole house shall prevail in the committee of supply and the committee of ways and means. R. 324; B. 589, 597; M. 531; Redl. III, 138; Bl. Man. 200.

381. — 1. In committee of supply, each item of the estimates shall be dealt with separately and according to the rules provided for the consideration of a bill in committee of the whole house. R. 325; B. 589-91; Be. no. 503; M. 529 f.

2. The items of the estimates shall be submitted to the committee in the order selected by the ministers. R. 325 n. 1; M. 530.

3. In the case of a grant containing the salary of any officer or clerk, his official conduct only can be censured, except to reproach him with prejudicing public interest by his personal conduct. R. 325 n. 4; Be. no. 501; M. 537-8.

382. — 1. In committee of supply, during the consideration of estimates, a motion cannot be made to increase a proposed grant, or to alter the destination of a proposed grant, or to attach a condition or an expression of opinion to a proposed grant; but it shall be permissible to discuss the advisability of increasing a proposed grant, or of changing the destination of a proposed grant. R. 326; B. 592; Be. nos. 508-10; M. 531-2; Man. no. 238; Bl. Man. 206.

2. When it is desired to have a proposed grant increased, either supplementary estimates must be presented, or the estimates before the house must be withdrawn and new ones presented. R. 326 n. 2; B. 592; Be. no. 508; M. 531-2; Man. no. 238; Todd I, 701-2, 753.

3. The committee of supply may refuse or reduce a proposed grant. R. 326 n. 3; B. 592; Be. nos. 508, 511; M. 531; Man. no. 238; Todd I, 753; Bl. Man. 206.

4. A grant may be withdrawn, even after having been reduced. Be. no. 511; M. 531.

383. — In committee of ways and means, a motion involving an increase of the actual charges upon the people cannot be made, except upon the recommendation of the Lieutenant-Governor. R. 327; B. 596; M. 544; Man. nos. 242, 244-5.

384. — Whenever the committee of supply rises, the resolutions adopted during the sitting shall be reported. R. 328; B. 591; M. (11th) 615; C. nos. 2007, 2033.

385. — When several resolutions have been reported by the committee of supply, or of ways and means, they shall be read together, but considered separately, unless the house consents unanimously to agree to them together. Camp. 243.

386. — After each report from the committee of supply, or of ways and means, the Speaker shall always put the question, "When shall the committee have leave to sit again?" R. 329; B. 591; Be. no. 523; M. 538; Bl. Man. 190.

387. — When all the proposed grants have been voted, the committee of supply may, though closed, sit again if further grants have been demanded by the Crown. Be. no. 526; M. 538-9.

CHAPTER III. — SPECIAL COMMITTEES.

SECTION I. — *Appointment of Special Committees.*

388. — A special committee shall be appointed by a resolution of the house appointing a committee of some members to take into consideration a particular subject, or to inquire into a particular subject. R. 330; B. 532; M. 468; C. nos. 1857, 1861; Camp. 217; Man. no. 99; Bl. Man. 159; Mell no. 199; Reed no. 61.

389. — The clerk of the house shall cause to be affixed in some conspicuous part of the legislative buildings a list of the several special committees appointed during the session. R. 331; B. 538; Be. no. 652.

SECTION II. — *Constitution of Special Committees.*

390. — No special committee may consist of more than fifteen members, without special leave of the house given on motion after notice. R. 332; B. 534; Be. no. 649; M. 471; C. no. 1866; Redl. II, 189; Camp. 218; Man. no. 80.

391. — Every member who moves for the appointment of a special committee shall of right be a member of such committee. R. 333; Bl. Man. 159; Mell no. 202.

392. — The Speaker may be appointed on any special committee. R. 334; C. no. 301.

393. — A member may be appointed on a special committee before having taken the oath of allegiance. R. 47 n. 1; B. 250 n. o; C. no. 1863.

394. — No member who declares or decides against the principle, or body, of a proposal submitted to the house shall be of a special committee to which such proposal shall be referred, if the committee is appointed, not to consider the principle of a proposal, but to change its details so that it become more acceptable. R. 335 and n. 1; B. 536-7; C. no. 1862; Mell no. 201; Reed no. 69; Smith 113.

395. — No member personally interested in the matter referred to any special committee can be of such committee. R. 336; M. 472; C. no. 1864; Be. Man. 160.

396. — The appointment of a special committee and that of its members shall constitute two distinct stages. Man. no. 81.

397. — Every notice previous to any motion to appoint a special committee shall give the names of the members intended to be proposed to be appointed by the house on such committee. R. 337; B. 534; Be. no. 651; M. 405, 470; C. no. 1868; Redl. II, 188; Camp. 218; Man. no. 81.

398. — No previous notice shall be required when a special committee is proposed to be appointed to consider a matter of privilege, or to draw up an address to His Majesty, to the Governor-General of Canada or to the Lieutenant-Governor, or reasons for disagreeing to amendments of the Legislative Council. R. 338; B. 533-4; M. 471; C. no. 1869; Camp. 218; Man. no. 81.

399. — If no notice has been given of names to be proposed, or if five members object to the names of members submitted to compose the committee, the house shall proceed to select the members of the committee as follows:

(1) The bells shall be rung as preparatory to a division with entry of names;

(2) The clerk assistant shall call out the members, who shall reply with the name of a member;

(3) The members who shall have most votes shall be declared to be members of the committee. R. 339; B. 535.

400. — After a special committee has been named, the house may, on a motion after notice, appoint new members, substitute new members for others, excuse members from acting on or attending the committee, or discharge the order of reference. R. 340 and n. 1, 2; B. 535, 547; Be. no. 630; M. 471, 475; C. nos. 1864, 1876, 1928; Redl. II, 188, 196; Man. no. 82; Bl. Man. 160; Bl. 284-5.

SECTION III. — *Organizing Special Committees.*

401. — The mover of a special committee shall fix the time for its first meeting and see to having it regularly organized. R. 341; B. 539; Bl. Man. 161.

402. — 1. Every special committee, previously to the commencement of business, shall elect one of its members to be Chairman. R. 342; B. 539; M. 478; Redl. II, 189; Camp. 220; Man. no. 88; Bl. Man. 162.

2. If more than one member is proposed, the election shall be as if a Speaker was to be elected in the house. R. 342 n.; B. 539; Be. no. 600; M. 478; Camp. 220.

SECTION IV. — *Powers of Special Committees.*

403. — 1. Every special committee shall only have the powers conferred upon it by the house and can only consider matters referred to it, or directly relevant to the object of the order of reference. R. 343; B. 539, 546; Be. no. 602, 621; M. 468; C. nos. 1893, 1907; Redl. II, 196.

2. A special committee is not allowed to receive a petition, except through the house, or to quote in its report a document laid upon the table of the house but not referred to it, or to use stenographers, or to have the evidence printed, without special leave of the house. R. 343 n. 3, 4, 5, 6; B. 542, 547, 560; Be. nos. 619, 682; M. 469; Smith 105.

404. — No special committee can, without leave of the house, sit whilst the house is sitting, or on a day when the house is not sitting. R. 344; B. 542-3; Be. no. 611; M. 480; C. nos. 1897, 1899; Redl. II, 190; Camp. 219; Man. no. 85; Bl. Man. 162.

405. — 1. A special committee cannot require the attendance of persons, or the production of papers or records, unless so empowered by order of the house; but it may examine witnesses who voluntarily attend, and it may also take communication of documents handed it by the Chairman. R. 345 and n. 3; B. 534; Be. no. 618; M. 474; C. no. 1901; Redl. II, 191-2; Camp. 217; Man. no. 90.

2. No special committee can, however, take communication or require the production of papers irrelevant to the object of the order of reference, or inquire into any subject foreign to such order of reference. R. 345 n. 1; Be. no. 636; M. 474; C. no. 1906.

406. — 1. No special committee can send for papers which if it is not usual for the house itself to order, or which, if required by the house itself, must be sought by address. R. 346 and n. 2; B. 547; Be. no. 618; M. 474-5; Redl. II, 194; Bl. Man. 163.

2. When a special committee wants papers which must be sought by address, it may instruct its Chairman to move the house for the production of such papers; and such papers, as soon as laid upon the table of the house, may be referred to the committee, on a motion without notice. R. 346 n. 1; B. 547; Be. no. 617; M. 475; Bl. Man. 163.

407. — Every special committee having power to send for persons, papers and records shall have leave to report its opinions and observations, together with the evidence taken before it, to the house, and also make a special report of any matter which it may think fit to bring to the notice of the house. R. 347; Be. no. 656; M. 485; Man. no. 95.

408. — **1.** Every special committee may appoint sub-committees formed of some of its own members, and rescind the appointment of sub-committees; but it cannot delegate to any sub-committee all the powers conferred upon itself by the house. R. 348 § 1 and n. 1, 2; B. 549; Be. no. 616, 641; C. no. 1940; Camp. 219.

2. A sub-committee may report to the committee only by which it has been appointed. R. 348 § 2; B. 549.

SECTION V. — *Sittings of Special Committees.*

409. — If a special committee has not been adjourned to a specified time, it shall be convened by the clerk of the committee, on the requisition of the Chairman or, in case of his default, on the requisition of five members of such committee. R. 349; B. 542.

410. — The convening shall be done by a notice addressed to each member of the committee and either delivered to him personally or deposited at the post office of the house not later than the eve of the day for which the committee is convened. R. 350.

411. — Every special committee shall meet either at the place fixed by the house, or, if no place has been fixed by the house, in the room mentioned in the notice of convening. R. 351; M. 479; C. nos. 1895, 1900; Man. no. 87.

412. — A special committee may adjourn from time to time, and, if authorized by the house on a motion without notice, from place to place. R. 352; B. 542-3; Be. no. 610; M. 479; C. nos. 1895, 1900; Redl. II, 190; Camp. 219; Man. no. 86; Bl. Man. 163.

413. — If the Chairman is absent, or if he finds it necessary to leave the chair, the committee shall elect one of its members to preside. R. 353.

414. — **1.** Every member of a special committee must serve on such committee, unless he is excused from attendance by the house on a motion after notice. R. 354 and n. 1; B. 537; Be. no. 630; M. 180, 238; C. no. 1863; Bl. Man. 160.

2. A motion to excuse any member who is ill from attendance may be made or presented by any member. Be. no. 630.

415. — A majority of the members of a special committee shall compose a quorum, unless otherwise ordered by the house. R. 355; B. 538; C. no. 1911; Mell no. 205.

416. — If, after the lapse of fifteen minutes after the time appointed for the meeting of a special committee, there is not a quorum, the members present may retire after having their names entered in the minutes; and the clerk attending the meeting shall thereupon convene a meeting for the next sitting day. R. 356; Be. no. 645; Bl. Man. 161-2.

417. — **1.** Anything done by a special committee in the absence of a quorum shall be null and void. M. 473.

2. It shall be the duty of the clerk of the committee to call the attention of the Chairman to the fact that a quorum is not present. Be. no. 655; M. 473; Man. no. 87.

418. — If, during any sitting of a special committee, a quorum is no longer present, the Chairman shall forthwith suspend the proceedings of the committee until a quorum is present, or adjourn the committee. R. 357; B. 540; Be. no. 645, 655; M. 473; C. no. 1912; Redl. II, 189; Camp. 215, 220; Man. no. 87; Bl. Man. 162.

419. — A special committee may admit or exclude strangers at its pleasure. R. 358; B. 455; M. 475; C. no. 1918; Redl. II, 195; Man. no. 92; Bl. Man. 167.

420. — If a special committee has been empowered by the house to sit with closed doors, it may exclude all strangers as well as members not being of the committee. R. 359; B. 545; Be. nos. 614, 638; M. 477-8; C. no. 1919; Redl. II, 195; Camp. 215.

421. — Any member of a special committee, if he wishes the committee to deliberate and take a decision on any question with closed doors, shall have the right to require the excluding of all

strangers and, if the committee has been empowered to sit with closed doors, all members not being of the committee. Be. no. 640; M. 476-7; Man. no. 92.

SECTION VI. — *Proceedings of Special Committees.*

422. — Except as herein otherwise provided for, the rules relating to committees of the whole house shall apply to special committees, *mutatis mutandis*. R. 360; B. 539; Be. no. 605; M. 478; C. nos. 1908, 1913; Redl. II, 189-90; Camp. 220.

423. — Members of a special committee may speak seated. R. 360 n. 2; C. no. 378.

424. — The Chairman of a special committee may take part in the proceedings of such committee. R. 361.

425. — A special committee may ask for the opinion of the Speaker on any question of order or procedure, provided the Chairman himself has given no opinion on the question. R. 362 n.; C. no. 1908.

426. — When the Chairman of a special committee has decided any question of order or of procedure, there may be an appeal only to the committee. R. 362.

427. — Unless it is otherwise agreed to, the examination of witnesses before any special committee shall be conducted as follows, viz: The Chairman shall first put to the witness all such questions as he may deem essential with reference to the subject inquired into by the committee; then he shall call on the members of the committee severally to put any other relevant questions. R. 363; Bl. Man. 167.

428. — Questions and answers shall be taken down at length, and to every question or series of questions put there must be prefixed, in the minutes of the evidence, the name of the person putting the questions. R. 364; B. 540, 560; Be. no. 704; Redl. II, 194; Camp. 221; Man. no. 93.

429. — **1.** No strangers or members not being of a special committee may address the special committee or put any question to a witness being examined by the special committee, except by leave of the committee or of the house. R. 365 § 1; B. 546; M. 461; C. no. 1919; Bourke 93.

2. The proposer of a proposal or of a bill is, however, entitled to be heard before the special committee charged with the consideration of such proposal or bill. R. 365 § 2.

430. — 1. When a special committee has been appointed to inquire into matters in which the interest, character or conduct of any member, or other person, is concerned, the committee may be empowered by the house, on a petition, or on a motion without notice, or upon the recommendation from the committee, to hear counsels on behalf of such member or other person. Be. no. 643; M. 436; Camp. 220.

2. Instructions to the same effect may also be given to the committee by the house. Be. no. 644.

431. — If any information comes before any special committee charging any member of the house, the committee shall only acquaint the house with the facts as stated, without proceeding further thereupon. R. 366; Be. no. 639; M. 481.

432. — If any division takes place in a special committee, the Chairman shall call out the names of the members, or have the names called by the clerk, and take down the names of those voting in such division. R. 367 and n. 1.

433. — The Chairman can always vote, and besides he shall have a casting vote in case of an equality of votes. R. 368.

434. — 1. A select committee may, upon the motion of one of its members, reconsider any question which it has decided, except the appointment of any sub-committee and the confirming of any ruling given by the chairman. R. 369 § 1, § 2 n. 4, 5; Reed no. 204.

2. It cannot be moved to reconsider a second time a question already reconsidered. R. 369 § 2; C. no. 1273; Mell no. 147; Reed no. 204.

3. A motion to reconsider cannot be amended. R. 369 § 3; Robert no. 23.

4. It shall open up to discussion the merits of the question to be reconsidered. R. 269 § 4; C. no. 1272; Mell no. 145.

5. It can be adopted only by three-fourths of the members present. R. 369 § 5.

6. If adopted, it shall nullify the decision previously taken by the committee upon the question concerned and place such question in the exact position it occupied before it was voted upon. R. 369 § 6; C. no. 1278; Mell no. 146.

7. If rejected, it cannot be renewed. R. 369 § 2 n. 2; Mell no. 147.

435. — The clerk of any special committee shall have charge of all the proposals, papers and evidence before the committee. B. 540, 542; Be. no. 683.

436. — 1. The clerk attending any special committee shall take minutes of the proceedings of the committee at each of its sittings, unless the matter committed is a bill, or a draft of proposed legislation, or the report of a royal commission. R. 370 § 1; B. 540, 542.

2. Such minutes shall mention:

- (1) The names of the members attending;
- (2) The text of every motion made, together with the name of the mover thereof;
- (3) The text of every decision arrived at by the committee;
- (4) The names of the members voting in any division, distinguishing the Ayes from the Noes;
- (5) A statement of every point of order or of procedure raised, and of every ruling given by the Chairman;
- (6) The name of every witness heard;
- (7) The numbers and designation of all papers produced. R. 370 § 2; B. 540-1; Be. nos. 653-4; Redl. II, 194-5; Camp. 221; Man. no. 93; Man. 162.

3. The minutes may be read and adopted at the next following meeting. R. 370 § 3.

4. They shall be signed by the Chairman, or the member who presided at the end of the sitting. R. 370 § 4.

437. — No portion or summary of any evidence taken by, or of any document produced before, or of any report agreed to by a special committee may be published before such evidence, document or report has been presented to the house. R. 371; B. 153-4, 551; M. 83, 482; Camp. 221; Bl. Man. 171, 173.

SECTION VII. — *Reports from Special Committees.*

438. — When a special committee has gone through the business referred to it, it shall be its duty to report to the house. R. 372; B. 548; C. no. 1930.

439. — **1.** When a special committee cannot, before the end of the session, go through the business referred to it, it shall, before prorogation, report the fact to the house together with any evidence which it may have taken. R. 372 n.; Be. no. 667; M. 486; Camp. 222; Man. no. 95.

2. Such evidence may be referred to a committee in a subsequent session. Be. no. 667; M. 486; Camp. 222-3.

440. — If the order of reference requires a special committee to do any particular thing, it shall report the doing of the thing. R. 373; C. no. 1936.

441. — If a special committee has been charged with the making of an inquiry, it shall report the facts verified or the evidence taken. R. 374; B. 548; C. nos. 1936, 1938.

442. — If an opinion is required by the order of reference, it shall be expressed in the form of resolutions. R. 375; B. 548; C. no. 1936; Camp. 221.

443. — If the order of reference requires the preparing of a paper, the committee shall report it in the form required. R. 376; C. no. 1936.

444. — **1.** If the matter referred to a special committee is a paper other than a petition or a memorial, the report thereon shall be that the committee either reports the paper in question without amendment, or disagrees to it, or reports it with amendments, according as it agrees to it, disagrees to it, or agrees to it with amendments. R. 377; Be. no. 634; C. no. 1936; Camp. 222.

2. In such a case, to each report shall be attached a copy of such paper together with the amendments made to it. R. 377 n. 4.

3. If the committee is unable to agree upon a text, it shall either ask to be discharged from the further consideration of the paper, or make a special report stating the reasons why the paper ought to be disagreed to. R. 377 n. 2; B. 550; C. no. 1936; Mell no. 208; Smith 114.

445. — **1.** Except in the case of a report of any paper, every special committee shall annex to its report a copy of the minutes of its proceedings together with the evidence taken and the papers produced before it. R. 378; B. 540, 548, 552; M. 487; Redl. II, 196; Camp. 222; Bl. Man. 173.

2. If all the papers produced before the committee have not been annexed to the report, the house may, on a motion without notice, order the missing papers to be laid upon the table. In such a case, it shall be the duty of the Speaker to lay the papers upon the table. R. 378 n.; Bl. Man. 177.

3. If any error has occurred in the appendix to a report, the house, on a motion without notice, may order either to correct such appendix or to lay an accurate one upon the table. M. 487.

446. — A special committee, if authorized by the house, may report from time to time its proceedings with or without evidence, or the evidence only. R. 379; B. 534; M. 485; C. no. 1946; Redl. II, 196; Camp. 222.

447. — **1.** Except in the case of a report on any paper or unless it is otherwise ordered, the Chairman of any special committee shall prepare a draft and submit it for the consideration of the committee R. 380 § 1; B. 548; M. 483-4; C. no. 1935; Redl. II, 195; Camp. 221; Man. no. 94; Bl. Man. 172.

2. An alternative draft may be submitted for consideration by any other member of the committee, and, in such case, the committee shall first decide which draft shall be taken into consideration. R. 380 § 2; M. 483-4; Camp. 221; Man. no. 94.

448. — **1.** Draft reports shall be taken into consideration paragraph by paragraph and may be amended R. 381 § 1; B. 548; M. 483-4; Redl. II, 195; Camp. 221; Man. no. 94; Bl. Man. 172.

2. After the several paragraphs have been separately considered, the question shall be put on the body of the draft report. R. 381 § 2; M. 484; Redl. II, 195; Camp. 222; Man. no. 94; Bl. Man. 173.

449. — The report of a special committee cannot be accompanied by any counter-declaration, or protest, from the minority of the committee. R. 383 n. 3; B. 548.

450. — Every report of a special committee on a paper shall be drafted by the clerk of the committee and presented without having been submitted to the committee. R. 380 § 1 n.

451. — Every report of a special committee shall be signed by the Chairman, whose signature shall also be affixed to any papers laid before such special committee. R. 382; B. 550; Be. no. 670; Bl. Man. 173.

452. — Reports of a special committee shall be drafted in the French and English languages and presented by the Chairman or any member of the committee. R. 383 and n. 1; B. 554; Be. no. 657; M. 487; C. no. 1950; Man. no. 96; Bl. Man. 173.

453. — A minority of a special committee cannot present any report. R. 383 n. 2; B. 548.

454. — A member shall not be allowed, in presenting the report of a special committee, to make any remarks on the subject of the report. Bl. no. 658.

455. — Reports of a special committee shall be read as soon as they have been presented. R. 384 part; B. 554; Redl. II, 196; Camp. 223.

456. — Reports of a special committee, as soon as they have been read, shall be deemed to have been received, if no member objects. R. 384 n. 1; Mell no. 212.

457. — Reports of a special committee can be discussed only on a motion after notice. R. 384 part; B. 554-5; Redl. II, 196; Camp. 223.

458. — 1. Recommendations by a special committee, and resolutions and papers reported from a special committee, may be agreed to, or disagreed to, or agreed to with amendments. R. 385 § 1; B. 554-6; Be. no. 662; M. 488; C. nos. 1957-8; Man. no. 97; Bl. Man. 175.

2. Reports of a special committee may, before being adopted, be recommitted, either in whole or in part and with or without instructions, to such committee, or to any other committee. R. 385 § 2; B. 556; Be. nos. 661, 672; M. 488; C. nos. 1957, 1963; Man. no. 97; Bl. Man. 175.

459. — An alternative draft of report inserted in the minutes of proceedings annexed to the report of a special committee cannot be the subject of any proceedings in the house. R. 383 n. 4; B. 549.

460. — **1.** As soon as the final report of a special committee has been received, the committee shall lapse. R. 384 n. 2; Be. no. 664; M. 486; Mell no. 216; Smith 116.

2. If the report is referred to the committee by which it was made, the committee shall, however, be revived with all the powers originally conferred upon it. R. 385 § 2 n. 5; Be. no. 661; C. no. 1864.

461. — The effect of a recommittal of the report of a special committee shall be to undo all that has been done in the house on such report. R. 385 § 2 n. 4; C. no. 1864.

CHAPTER IV. — STANDING COMMITTEES.

SECTION I. — *Appointment of Standing Committees.*

462. — At the first sitting of every session, the house shall appoint a standing committee for each of the following purposes, viz: —

- (1) Privileges and elections;
- (2) Standing orders;
- (3) Public accounts;
- (4) Railways and other means of communication;
- (5) Agriculture, immigration and colonization;
- (6) Industries and trade;
- (7) Municipal code;
- (8) Private bills in general;
- (9) Public bills in general;
- (10) Library of the Legislature;
- (11) Legislative printing. R. 386; B. 530.

SECTION II. — *Constitution of Standing Committees.*

463. — The members and the Chairman of every standing committee shall be selected and the number of the members and the quorum of the committee shall be fixed by a special committee. R. 387; B. 531.

464. — 1. The members of the committees on the library and on printing respectively shall act as members on the part of this house on the joint committees of both houses on the library and on legislative printing. R. 388.

SECTION III. — *Powers of Standing Committees.*

465. — Standing committees, other than the committees on privileges and elections, on private bills in general and on public bills in general, may consider all matters under their jurisdiction, although no such matters have been referred to them by the house. R. 389.

466. — The function of the committee on public accounts shall be to examine the accounts showing the appropriation of the sums granted by the Legislature to meet the public expenditure. R. 390; M. 557; Redl. II, 186; Man. no. 102.

467. — The house may, by special instructions, extend the scope of the powers of standing committees and empower them to examine and inquire into matters which they, otherwise, would not be allowed to examine or inquire into. R. 389 n.

SECTION IV. — *General Provisions.*

468. — With the exception of rules 390, 394, 436 and 460, all rules relating to special committees shall apply to standing committees, *mutatis mutandis*. R. 391; M. 460, 466; Redl. II, 183; Camp. 215; Man. no. 78.

CHAPTER V. — JOINT COMMITTEES.

469. — When the house desires to refer any matter to a joint committee, it shall pass a resolution to that effect and send a message to the Legislative Council informing it of the resolution, and requesting its concurrence. R. 392; M. 488-9; Redl. II, 197; Camp. 223; Man. no. 99.

470. — In every message proposing to the Legislative Council the appointment of a joint committee, the house shall state the number of members it will appoint to serve on such committee. R. 393; M. 489-90.

471. — 1. Whenever both houses have agreed to concur in the appointment of a joint committee, this house shall select the members who are to represent it on such committee as in the case of select committees, fix a quorum of such members, and confer upon them such powers as it may consider necessary. R. 394; Camp. 224; Man. no. 99.

2. The time and place of meeting shall be appointed by the Legislative Council. R. 394 n. 1; M. 491; Redl. II, 197; Camp. 224; Man. no. 100.

3. The procedure in a joint committee shall follow that of a special committee of the Legislative Council. R. 394 n. 2; M. 491; Camp. 224; Man. no. 100.

472. — The proceedings of every joint committee shall be reported to the house by the members it has appointed to serve on such committee. R. 395; M. 491.

CHAPTER VI. — INSTRUCTIONS TO COMMITTEES.

473. — Any instruction may be given to committees to authorize them to do what they cannot do under the authority conferred by the order of reference or by the standing orders, or to order them to do a particular thing, or to order them not to do a particular thing they have been empowered to do. R. 396; B. 651-2; C. nos. 1923-7, 2161; Redl. II, 197; Camp. 188; Man. no. 179; Bl. Man. 294, 296; Bl. 190.

474. — It shall not be permissible to propose:

(1) Any instruction to confer upon a committee power to do what it is already empowered to do or to order a committee not to do what it is not empowered to do; R. 396 n. 2; B. 652, 653 n. 7; M. 400, 491; C. nos. 1923-5; Man. no. 179; Bl. Man. 293; Bl. 139, 192-3; Bourke 205, 207.

(2) Any instruction to confer conditional powers upon a committee; R. 396 n. 6; Bl. Man. 293; Bl. 189.

(3) Any instruction calling again in question a matter on which the house has given a final decision during the current session; R. 396 n. 5; M. 402.

(4) Any instruction to authorize a committee to introduce into a paper amendments which are irrelevant to the subject of such paper; R. 396 n. 4; B. 655; M. 399; Bl. Man. 293; Bl. 189.

(5) Any instruction to authorize a committee to change the character of a bill, or to engraft into a bill novel principles which would be irrelevant, foreign or contradictory to the principles affirmed by the house on the first or second reading of such bill; R. 397 and n. 1; B. 655; M. 399; Man. no. 179; Bl. Man. 293; Bl. 189.

(6) Any instruction being irrelevant, foreign or contradictory to the contents of a bill, or seeking the subversion thereof by substituting another scheme for the mode of operation therein prescribed; R. 397 n. 2; B. 546; M. 399; Man. no. 179; Bl. 189.

(7) Any instruction to introduce into a bill a subject which, having regard to the practice followed in the drafting of statutes, ought properly to form the substance of a distinct measure. Man. no. 179.

475. — An instruction to a committee may empower such committee to divide a bill into two or more bills, or to consolidate several bills into one; but no committee can divide a bill or consolidate several bills, without having been empowered to do so by special instruction of the house. R. 398 and n.; B. 654; M. 399-400; C. no. 2163; Camp. 189; Bourke 212.

476. — The powers conferred on a committee by instruction shall continue operative and revive if the matter is referred again to such committee. R. 396 n. 1; M. 401; Camp. 189.

477. — Every instruction must be drawn in clear and specific terms, so as to define precisely the object in view whereof it is moved. R. 396 n. 8; M. 401.

478. — Any amendment moved to a proposed instruction must be relevant to the subject thereof, and must be drawn in such a shape, that, if adopted, the question as amended would retain the form and effect of an instruction. R. 396 n. 9; M. 401; Camp. 190; Bl. Man. 296.

479. — An instruction, if given to a select committee, may be mandatory or permissive; if given to any other committee, it may only be permissive. R. 399; B. 546-7; Be. nos. 428, 635; M. 400-1, 469, 491; Redl. III, 91; Camp. 188; Man. nos. 83, 179.

480. — A committee to which an instruction has been given cannot exceed it. Hansard, 4th Ser., vol. 43, p. 1234 f.

481. — **1.** No other committee than a special committee shall be bound to accept the amendments which it has been instructed to make to any bill or proposed resolution.

2. A special committee shall be bound to accept such amendments only when the instruction has been imperative.

482. — An instruction cannot be moved to be given to the committee of supply. R. 400; B. 582; M. 524; Todd I, 753.

483. — An instruction to a committee to make provisions which would involve the payment of public moneys, or a new or additional charge upon the people, cannot be moved without the recommendation of the Lieutenant-Governor; but an instruction to substitute another tax for the one provided for in a resolution or bill may be moved without such recommendation, provided such resolution or bill has been reported by a committee of the whole, the new tax would not involve an extension of the incidence of the tax as provided for, and the proceeds of the new tax would not be larger than those of the tax as provided for. R. 401; B. 655; M. 401, 509-10; Camp. 189.

484. — **1.** An instruction to a committee of the whole house can only be moved before the house goes into such committee for the first time. R. 402; B. 657; Be. no. 429; M. 397-8, 402; C. no. 2166; Redl. III, 90; Camp. 190; Bl. Man. 294.

2. An instruction may be moved by a direct motion as soon as the order of the day for the house going into a committee has been read and before the motion, "That the Speaker do now leave the chair" is made. R. 402 n. 1; B. 519; Be. no. 430; M. 398, 402; C. nos. 1992, 2166; Camp. 90; Bl. 191.

3. It may also be moved by an amendment to the motion, "That the Speaker do now leave the chair"; but, if the amendment is adopted, the main motion shall be superseded. R. 402 n. 6; B. 651; Be. no. 430; M. (9th) 556; Bl. 191-2.

485. — An instruction to a select committee may be moved, either by the motion to appoint the committee, or by an amendment to such motion, or by an independent motion made at any time prior to the final report of such committee. R. 403 and n.; M. 402; C. no. 2166; Camp. 190; Bl. Man. 296; Bl. 195.

486. — 1. A notice shall be required of every main or subsidiary motion for an instruction, and also of any amendment to an instruction, which, if agreed to, would either enlarge the scope of the instruction or materially alter its character R. 396 n. 1, 3; B., 654; M. 401; Redl. II, 197; Camp. 189; Man. no. 179.

2 When amendments to intended instructions have been deposited, they shall be placed on the agenda paper of the next sitting immediately after the instructions on which they are to be proposed.

487. — A member cannot move more than one instruction with reference to the same matter. But several members may each successively move an instruction with reference to the same matter. R. 402 n. 2, 3; B. 655; M. 401; Camp. 190; Bl. Man. 296.

TITLE X.

PETITIONS.

CHAPTER I. — RIGHT OF PETITION.

488. — 1. All persons, whether or not they be in possession of their civil rights, and all bodies of persons may by petition address themselves to the house, either for their particular advantage or for the redressing of some public grievance. R. 404 § 1 and n. 2; C. no. 1079; Redl. II, 239.

2. However, no petition from aliens not residing in the Province of Quebec shall be received, except in case of applications for a private bill. R. 402 § 2; B. 347; B. no. 721; C. no. 1079.

489. — Individuals outside of the house can only approach it by a petition and through a member. R. 404 § 1 n. 1; B. 358; C. no. 1068; Reed no. 101.

CHAPTER II. — FORM AND CONTENTS OF PETITIONS.

490. — Every petition must be fairly written, or typewritten, or printed, or lithographed, without interlineation or erasure. R. 405; B. 346; Be. no. 719; M. 611; C. no. 1087; Man. no. 49.

491. — Every petition must be either in the French or English language, or be accompanied by a French or an English translation certified as correct by the member who presents it. R. 406; B. 346; M. 611; C. no. 1085; Man. no. 49; Bl. Man. 119.

492. — Every petition must be addressed to the Legislative Assembly. R. 407; B. 345; Be. no. 712; M. 610; C. no. 1088; Man. no. 49; Bl. Man. 118.

493. — Every petition must contain a designation of the petitioners, and also a statement of the facts upon which they ask the interference of the house. R. 408 n. 1; B. 345; M. 610; C. nos. 1089-90; Camp. 118; Bl. Man. 118.

494. — Every petition must be worded in the third person. R. 408; B. 345; Be. no. 712.

495. — Every petition must conclude with a prayer clearly and tersely expressing its object. R. 409; B. 345; Be. nos. 710, 712; M. 610; C. no. 1091; Redl. II, 239; Camp. 118; Man. no. 49; Bl. Man. 118.

496. — 1. Every petition must be signed by the parties whose names are appended thereto, and by no one else. R. 410 § 1; Be. no. 726; M. 610-1; C. no. 1092; Man. 49; Bl. Man. 119.

2. Persons not knowing how to write must affix their marks in the presence of a witness, who must as such affix his signature. R. 410 § 2; C. no. 1092.

3. When a petitioner is unable from absence, physical incapacity or sickness to sign, any agent specially authorized for this purpose may sign for him in such capacity. R. 410 § 1 n.; M. 611; C. nos. 1092, 1094; Bl. Man. 119.

497. — It is a breach of the privilege of the house for any person not specially authorized for this purpose to set the name of any other person to any petition to be presented to this house. R. 411; R. S. Q. c. 4, s. 56; B. 349; Be. no. 722; M. 611; C. no. 1096; Redl. II, 240.

498. — If there are more than two petitioners, three signatures at least must be subscribed on the sheet containing the prayer of the petition. R. 412; B. 345.

499. — Every signature must be written upon the petition itself, and not pasted upon or transferred to it. R. 413; B. 346; Be. no. 719; M. 611; Bl. Man. 119.

500. — Every petition of a municipal corporation must be drawn up in and subscribed with the name of the corporation, and signed by the mayor and the secretary or clerk of the municipality, or by some person specially authorized by the council of such corporation. R. 414 and n.; C. no. 1095.

501. — Every petition of any other corporation or body must be drawn up in and subscribed with the name of the corporation or body, and signed by the president, or head, and the secretary of the corporation or body, or by some person specially authorized by the board of such corporation. R. 415 and n.; C. no. 1095.

502. — Every petition of a corporation aggregate must be under its common seal, affixed on the sheet containing the prayer thereof. R. 416; R. 347; Be. no. 720; M. 611; C. no. 1095; Bl. Man. 119.

503. — Every petition shall be received only as the petition of the parties having regularly signed the same. R. 417; B. 347; Be. no. 728; C. nos. 1093-4; Bl. Man. 119.

504. — No paper shall be annexed to any petition, except to a petition for a private bill. R. 418; B. 346; Be. no. 719; M. 611; C. no. 1099; Man. no. 49; Bl. Man. 120.

505. — A petition can only state facts in which the house has jurisdiction to interfere, and, if the prayer is for legislation, the object of such prayer must be within the powers of the Legislature. R. 404 § 1 n. 3; C. no. 1106; K. 95.

506. — **1.** No petition shall refer to a debate, speech, vote or proceeding in either house or any committee thereof, or to any intended measure, bill or motion whose introduction, or presentation, has not been regularly announced. R. 419 and n. 1, 2; B. 348, 351; M. 613; C. no. 1105; Redl. II, 240; Man. no. 49; Bl. Man. 120.

2. If any petition infringing on the present rule has been received, the house may, on a motion without notice, discharge the order for its reception. But is is not competent for the Speaker to declare out of order and lay aside a petition received by the house. R. 419 n. 4, 5; B. 354.

507. — Every petition must be respectful, decorous and temperate in its language. R. 420 and n. 1; B. 348, 354, 459 n. r; Be. no. 711; M. 612-3; C. nos. 1101-4; Redl. II, 240; Camp. 119; Man. no. 49; Bl. Man. 120.

508. — No petition shall contain matter in breach of the privilege of the house or of any member thereof. R. 421; B. 348, 354; Be. no. 732; M. 612-3.

CHAPTER III. — PRESENTING AND RECEIVING PETITIONS.

509. — Any petition may be presented at any sitting, except at the opening sitting of a session. R. 422; B. 341; Be. no. 730; M. 615; Man. no. 51.

510. — No petition shall be presented after the routine business, unless it relates to any order of the day or any motion on the agenda paper, in which case it may be presented when such motion or such order of the day is first called to be considered. R. 423; B. 330; Be. no. 709; M. 229-30; Redl. II, 240; Bl. Man. 121.

511. — No petition can be received which prays for any grant of public money or expenditure, or for compounding any debts due to the Crown, or for the remission of any duties, unless it is recommended by the Lieutenant-Governor. R. 424; B. 349-52; Be. nos. 564, 566, 714; M. 510; C. no. 1430; Man. no. 50.

512. — A petition can be presented to the house only by a member. R. 425; M. 614; C. no. 1130; Redl. II, 240; Camp. 118; Man. no. 51; Bl. Man. 121.

513. — The Speaker cannot present any petition. R. 245 n.; B. 344; M. 614; C. no. 1132.

514. — A member cannot present a petition from himself; but such a petition may be presented by another member. R. 426; Be. no. 725; M. 614-5; C. no. 1151; Camp. 118; Man. no. 51; Bl. Man. 121.

515. — A petition can be presented only to the house. R. 407 n.; Smith 105.

516. — Every member presenting a petition must take care that it is in conformity with the rules and parliamentary usages. R. 427; B. 343; M. 616; C. nos. 1117-8; Redl. II, 240; Camp. 118; Man. no. 49; Bl. Man. 121.

517. — Every member presenting a petition must endorse his name thereupon. R. 428; B. 342; M. 614; C. no. 1157; Redl. II, 240; Man. no. 51.

518. — Every member presenting a petition shall be answerable for any impertinent or improper matter contained therein. R. 429; Be. no. 717; C. no. 1119.

519. — Every member presenting a petition must confine himself to reading the prayer of such petition and to stating the parties from whom it comes, the number of signatures attached to it and the material allegations it contains. R. 430 § 1; B. 342; Be. no. 731; M. 617; C. no. 1160; Redl. II, 240; Camp. 117; Man. no. 51; Bl. Man. 121.

520. — **1.** As soon as a petition has been presented, every member may require that it be read. If any member objects to the demand, the Speaker shall propose the motion, "That the petition just presented be now read", and the house shall decide. R. 430 § 2 n.; Be. no. 713; M. 617.

2. If the motion is adopted, the petition shall be immediately read by the clerk assistant. R. 430 § 2; Be. nos. 713, 732; M. 617; C. no. 1161; Man. no. 51.

521. — On the presentation of a petition, no debate on or in relation to the same shall be allowed, unless the petition prays for the redressing of some personal grievance requiring an urgent remedy. R. 431; B. 342, 352-3; Be. nos. 715, 735; M. 617; C. nos. 1161, 1163; Redl. II, 240; Man. no. 51.

522. — Notwithstanding rule 521, when a petition affects the privileges of the house or of any member, it may be immediately considered; and, when it refers to any writing published in a newspaper and alluding to a member, such member may immediately make a personal explanation, even if no motion is made. R. 431 n. 1, 2; B. 353; Be. no. 716; M. 264, 618; Man. no. 52.

523. — **1.** Every petition presented to the house shall be examined by an officer appointed for that purpose. R. 432 § 1; B. 343.

2. If the petition is found to be according to the rules and practice of the house, it shall be laid upon the table by the clerk at the next sitting following its presentation; the endorsement shall be read, and the petition shall then be deemed to be read and received. R. 432 § 2; B. 343.

3. If not, the Speaker shall apprise the house thereof and decide that it cannot be received; then it shall be sent back to the member by whom it was presented. R. 432 § 3 and n.; B. 343; Be. no. 717; Man. no. 49; Bl. Man. 121.

TITLE XI.

BILLS.

CHAPTER I. — GENERAL PROVISIONS.

524. — A bill shall be deemed a public bill when it deals with public general interest and a private bill when it deals with personal or local interests. C. no. 754; Camp. 84; Man. no. 162.

525. — Public bills shall be introduced directly by a member of the house. M. 379.

526. — Private bills shall not be introduced directly by a member, but be founded upon the petitions of parties interested. M. 379.

527. — As a general rule, bills may originate in either house. R. 433; B. 626; M. 378; C. no. 2295.

528. — 1. Bills involving the appropriation of public moneys, or the imposition of any charge upon the people, or the release of any debt, must be first introduced and passed in this house. R. 434 § 1; B. N. A. A. s. 53, 90; R. S. Q. c. 4, s. 39; B. 626; M. 378; C. nos. 2279, 2300; Man. no. 247.

2. In order to expedite the business of the Legislature, the house shall, however, be willing to consider bills from the Legislative Council imposing pecuniary penalties, provided such penalties shall be imposed only to punish or prevent contraventions. R. 434 § 2; B. 628; M. 569; Man. no. 253.

529. — 1. No bill which concerns the prerogatives or properties of the Crown shall be passed unless the consent of the Lieutenant-Governor is signified to the house before the third reading of such bill. R. 435; B. 576-7; Be. nos. 571, 743; M. 598-9; C. no. 888; Man. no. 216; Bl. Man. 259.

2. The Speaker shall lay aside the motion for the third reading of such a bill, if the consent of the Lieutenant-Governor is not signified. M. 190, 600.

3. The passage of such a bill shall be null and void, if the consent of the Lieutenant-Governor has not been signified before the third reading. M. 190, 600; Camp. 293.

530. — The several ordinary stages in the discussion of bills proper are:

- (1) Introduction and first reading;
 - (2) Second reading;
 - (3) Examination in committee of the whole house;
 - (4) Report from committee of the whole house;
 - (5) Third reading;
 - (6) Consideration of amendments from the Legislative Council.
- Camp. 176.

531. — 1. Every bill shall receive three several readings in different sittings, previous to being passed. R. 436 § 1; B. 682; C. no. 2123; Camp. 176.

2. A bill may, however, be read twice or thrice in one sitting, if paragraph 1 of this rule is suspended in conformity with provisions of paragraph 2 of rule 219. A motion to suspend must be made before each reading of the bill. R. 436 § 2; B. 682-3; Be. no. 749; C. no. 2123; Camp. 176.

532. — On every order for the reading of a bill, the title only shall be read. R. 437; B. 631 and *n. v.*; M. 385-6; Redl. III, 88.

533. — Bills, after being introduced, cannot be altered or withdrawn except by decision of the house. B. 438; B. 684; M. 387; C. no. 2339; Camp. 180; Man. no. 171; Bl. Man. 236.

534. — Bills, after being introduced, shall be printed without delay. M. 386.

535. — 1. Every bill shall be printed and distributed in the French and English languages before being proposed to be read a second time, and all proposed resolutions relating to bills and referred to a committee of the whole house shall be printed and dis-

tributed in the French and English languages before being examined in such committee. R. 439, 440; B. 646; Be. no. 748; M. 386; Camp. 180.

2. After allowing the second reading of the bill to be debated or the proposed resolutions to be examined in committee, it shall not be permissible to object that the bill or the proposed resolutions have been printed in one language only. R. 439 n. 1; B. 646-7; Be. no. 748.

536. — 1. Every bill shall be read twice before being amended or referred to any committee. R. 441 § 1; M. 396; Man. no. 175.

2. All public bills introduced by private members may, however, on a subsidiary motion proposed to the motion for second reading, be referred to a select committee and amended by such committee before being read a second time. R. 441 § 2.

537. — Whenever any bill is read, the clerk, or the clerk assistant, must certify upon it the reading and the number and time thereof. R. 442.

CHAPTER II. — PUBLIC BILLS.

SECTION I. — *Introduction of Public Bills.*

538. — The right of initiating public legislation shall belong to private members as well as to ministers, except in cases of financial matters being the main object of the bill, or of matters concerning the prerogatives of the Crown. Be. no. 743.

539. — It shall be the duty of the law clerk to revise public bills and cause the same to be printed. R. 443; B. 286.

540. — Any member who wishes to introduce any public bill must either move for leave to bring in such bill, or move that a committee be empowered to prepare and bring in such bill. R. 444; B. 630; M. 380; C. no. 2058, 2060-1; Camp. 177.

541. — The title of a public bill shall cover all the contents thereof. Camp. 175, 185; Man. no. 167.

542. — A motion for leave to bring in a public bill shall indicate the general purpose of the bill, or its title, except in case of a bill based on a resolution adopted in committee of the whole house. R. 444 n. 3; C. no. 2085.

543. — No notice shall be required of a motion for leave to bring in a public bill prepared by a committee or based on a resolution adopted in committee of the whole house. R. 444 n. 2; M. 383; Camp. 175, 178.

544. — **1.** The member who presents a motion for leave to bring in a public bill shall, if requested to do so, explain briefly the object of the bill, and he shall do it so as not to give rise to a debate. Be. no. 738; M. 380; Camp. 177-8.

2. The motion may, however, be debated; but such debate shall be restricted to the objects or purposes of the bill. R. 444 n. 4, 5; B. 631; Be. no. 739; M. 380-1; C. nos. 2084-6; Redl. III, 86-7; Bl. 69.

3. The motion may also be amended, but only so as either to change the title of the bill or to enlarge, restrict or modify its objects. R. 444 n. 4; B. 631; Be. no. 739; M. 380-1; C. nos. 2084-6; Redl. III, 86-7; Bl. Man. 325.

545. — No public bill may be introduced in blank, or in an imperfect shape. R. 445; B. 630; Be. no. 744.

546. — A public bill may only be brought in with the title specified in the order of leave, and no clause shall be inserted in such bill foreign to its title. R. 446; M. 383; C. no. 2096.

547. — Every public bill other than a bill of supply shall be accompanied with notes summarily stating the object of the amendments which the proposed act would make to the existing acts or statutes; but such notes must not be argumentative, nor contain any statement of reasons. Man. no. 172.

548. — **1.** When the direct and main object of any public bill is to authorize the construction of any public works, or to grant any money, or to impose any new or additional charge upon the public revenues or upon the people, or to release or compound any sum of money due to the Crown, or to grant any property of the Crown, or to authorize any loan or any charge upon the credit of the Province, a resolution having the same object must be recommended by the Lieutenant-Governor, adopted in committee of the whole house, and agreed to by the house, before the bill may be introduced. R. 447; B. N. A. A. s. 54, 90; B. 638-45; Be. nos. 549, 567, 569, 743; M. 199, 382, 504; C. nos. 2079-80; Camp. 174, 177, 247; Man. no. 170; Todd I, 765.

2. The above rule, however, shall not be applicable to bills involving any expenditure of public moneys, unless a new, distinct and direct charge be imposed upon the public revenue. M. 513; Camp. 249.

3. In every bill based on resolutions previously adopted in committee of the whole house and agreed to by the house, provisions reproducing any resolution or part of a resolution, and no other, shall be printed between double brackets.

549. — 1. If the construction of public works or the granting of money, or the appropriation of public moneys, or the imposition of charges, or the release of debt, or the granting of property of the Crown, or the authorization of loan is merely a subsidiary provision of a public bill, the bill may be introduced in the usual manner. R. 448 § 1; B. 639-40; Be. no. 549; M. 190, 506-7; Camp. 174, 247; Todd I, 765.

2. Such provision must, however, be recommended by the Lieutenant-Governor, adopted in committee of the whole house in the form of resolution, and agreed to by the house, before it may be incorporated in the bill. R. 448 § 2; B. 639; Be. no. 549; M. 506-7; Camp. 174, 247.

3. Provisions needing to be recommended by the Lieutenant-Governor, and no other, shall be printed between double brackets in the bill as introduced, and shall be deemed not to form part thereof until it has been incorporated therein. R. 448 § 3; B., 639; Be. no. 549; M. 507; Camp. 247; Man. no. 170.

4. The resolution shall be agreed to after the bill has been read a second time and the main provisions of such bill not printed between double brackets have been adopted in committee of the whole house.

550. — When a public bill has not been prepared pursuant to the order of leave, or according to the rules and orders of the house, the latter shall order the same to be withdrawn on a motion without notice, provided the irregularity is taken notice of before the second reading of the bill. R. 449 and n. 1; M. 384; C. nos. 2096, 2115, 2331-2; Redl. II, 254; Camp. 181; Bl. Man. 236; Bl. 31.

SECTION II. — *First Reading of Public Bills.*

551. — Immediately after leave has been given to introduce any public bill, such bill shall be read a first time without any question being put. R. 450; Camp. 178-9.

552. — The motion, "That this bill be now read a first time," shall be proposed by the Speaker immediately after the message transmitting any public bill from the Legislative Council has been read, and shall be decided without debate or amendment. R. 451 and n.; B. 631, 678-9; M. 385; Camp. 178; Bl. Man. 325.

553. — Immediately after the first reading of any public bill, such bill shall stand ordered to be read a second time at the next sitting, unless the house, on a motion without notice, otherwise orders. R. 452 mod.

554. — When a bill referred before its second reading to a select committee is reported with or without amendments, it shall stand ordered to be read a second time at the next sitting. R. 453.

SECTION III. — *Second Reading of Public Bills.*

555. — On the order of the day being read for the second reading of a public bill, the member in charge shall move "That this bill be now read a second time", unless the order of the day is moved to be discharged. R. 454; B. 646; Be. no. 757; M. 389; C. no. 2153; Redl. III, 88; Camp. 182; Man. no. 174; Bl. Man. 238.

556. — 1. The debate on every motion for the second reading of a public bill must be limited to the objects, the expediency, the vital principles and the merits of the bill as a whole, or to alternative methods of achieving the purposes of the bill. R. 455; B. 647, 650; Be. no. 753; M. 389; C. no. 2154; R. III, 88; Camp. 182; Man. no. 174; Bl. Man. 325.

2. When a bill rests on a report from a royal commission, such report and the evidence taken by the commission may be discussed. Hansard, 4th Ser., vol. 10, p. 1448 f.

3. In case of an appropriation bill, any aspect of the policy of the Government which falls within the limits of the grants provided for by the bill may be debated. Camp. 246.

557. — 1. Amendments may be moved to every motion for the second reading of a public bill by leaving out the word “now” and adding some term, as “this day six months”, or “this day three months”, or “this day one month”. R. 456 § 1; B. 648; Be. no. 754; M. 390; C. no. 2153; Redl. III, 89; Camp. 150, 182; Man. no. 174; Bl. Man. 238-9.

2. Such amendments cannot contain any statement of reasons and they cannot be amended. R. 456 § 1 n; M. 287.

3. If such an amendment is agreed to, the bill cannot be replaced on the agenda paper before the expiration of the term fixed. R. 456 § 2; B. 649; M. 390.

558. — No amendment other than the amendments mentioned in rule 557 may be moved to any motion for the second reading of a public bill, except in the form of a resolution strictly relevant to the bill and stating some special reason against its immediate reading. R. 457; B. 647-8; Be. nos. 755, 760; M. 390-1; Redl. III, 89; Camp. 150, 183; Man. no. 174; Bl. Man. 238, 240.

559. — When the motion for the second reading of a public bill has been simply negatived, or when a resolution adverse to the bill has been agreed to, the bill shall disappear from the agenda paper, but it may be reinstated on a motion after notice. R. 458 and n; B. 648; Be. no. 756; M. 390, 392; Redl. III, 90; Camp. 182; Man. no. 174; Bl. Man. 239, 242.

SECTION IV. — *Examination of Public Bills in Committee of the Whole House.*

560. — Subject to the restrictions as set forth in paragraph 2 of rule 561, after the second reading of any public bill, the house shall forthwith resolve itself into committee for the consideration of the bill, unless the bill is moved to be referred to a select committee, or notice of any instruction to be proposed thereon has been given, or the bill has been ordered by the house to be reprinted and it has not yet been reprinted and distributed in the French and English languages. R. 459 and n. 4, 7; B. 650, 659; Be. no. 426; M. (11th) 477; M. 396; C. nos. 2156-7; Redl. II, 199, III, 90; Camp. 184; Bl. Man. 243.

561. — 1. Every public bill shall be referred to a committee of the whole house. R. 459 n. 1; M. 421; Redl. II, 199.

2. However, appropriation bills, and money bills whose text, save the title and the clause relating to the putting in force of the proposed act, is only a reprint of resolutions previously agreed to in committee of the whole house, need not be referred to a committee of the whole house. R. 460; B. 670-1.

562. — When any public bill which has been read a second time is reported with or without amendments by a select committee, it shall stand referred to a committee of the whole house. R. 461; B. 660.

563. — When a select committee asks in a report to be discharged from the further consideration of any public bill which has been read a second time, such bill shall not be placed on the agenda paper, except by special order of the house on a motion after notice. R. 458a.

564. — 1. In committee of the whole house, the several parts of any public bill shall be considered in the following order, viz: —

- (1) Clauses as printed;
- (2) Postponed clauses;
- (3) New clauses;
- (4) Schedules as printed, but only when it is necessary to amend them;
- (5) New schedules;
- (6) Preamble;
- (7) Title, but only when it is necessary to amend it. R. 462; B. 661-3; Be. no. 778; M. 402-12; C. nos. 2177-8, 2182; Redl. III, 94-5; Camp. 190; Man. nos. 180, 186-9.

2. When a committee of the whole house has been instructed to consolidate several public bills, it shall proceed to examine successively all the clauses and all the schedules of the bills and to coordinate them; then it shall consider the preamble and title of one of the bills and amend them accordingly. R. 462 n. 27; B. 666; Be. no. 779; M. 410.

3. When a committee of the whole house has been instructed to divide a public bill into two bills, it shall postpone the examination of those clauses and schedules which are to form a second bill; then, after having examined and adopted them, it shall draw up a preamble and a title that are appropriate to the second bill. R. 462 n. 28; B. 666; M. 410; C. no. 2196.

565. — A committee of the whole house, whilst examining a public bill, can only discuss its details. R. 463; C. no. 2170; Bl. Man 326.

566. — A committee of the whole house may make any amendment to a public bill, provided such amendment be relevant to the subject-matter of the bill or pursuant to any special instruction, and neither inconsistent with the principle affirmed by the second reading nor contrary to the rules and orders of the house. R. 464; B. 663-5; Be. nos. 769, 792, 796; M. 398, 405; C. nos. 2170-85; Redl. III, 90, 93-5; Camp. 185; Man. no. 178; Bl. Man. 245.

567. — If any committee of the whole house adopts any amendment not being within the title of the bill, it must amend the title accordingly. R. 465; B. 663; Be. nos. 769, 786; M. 398; Redl. III, 90; Camp. 175, 185; Man. no. 178; Bl. Man. 245.

568. — Any amendment to the title of a public bill shall be specially reported to the house. R. 466; B. 663; Be. nos. 769, 786; M. 398, 414; Redl. III, 90; Man. no. 178; Bl. Man. 252.

569. — **1.** A committee of the whole house, while going through any public bill which is accompanied by resolutions, shall not consider provisions printed between double brackets before resolutions implying adoption of such provisions have been agreed to and referred to such committee. R. 467 mod.; B. 639; Be no. 804, M. 507.

2. When any such resolutions have been referred to the committee of the whole house appointed to examine the bill, or when the bill under consideration is based on resolutions previously adopted in committee of the whole and agreed to by the house, provisions reproducing any resolution or part of a resolution shall be deemed to have been incorporated in the bill and adopted such as they read, unless it is moved to amend the text thereof. 467 part mod.

SECTION V. — *Third Reading of Public Bills.*

570. — **1.** When a public bill is reported from a committee of the whole house without amendment, the house may either proceed forthwith to the third reading of the bill, provided the second

reading has been had at a preceding sitting, or order the bill to be read a third time at a subsequent sitting. R. 468 § 1; B. 668; M. 415, 421; C. no. 2215; Redl. III, 96; Man. no. 195.

2. When a public bill has been reported from a committee of the whole house with amendments, the house may examine it forthwith; but it shall be read a third time at a subsequent sitting. R. 468 § 2; B. 668; Be. no. 180; Camp. 195.

571. — On the order of the day being read for the third reading of a public bill, the member in charge shall move "That this bill be now read a third time", unless the order of the day be moved to be discharged. R. 469 and n. 1; M. 416; C. no. 2217; Redl. III, 98; Man. no. 205.

572. — The whole bill and its details may be discussed on the motion for the third reading of a public bill, but the debate shall be limited to the contents thereof. M. 421; Camp. 198.

573. — On the motion for the third reading of a public bill, only like amendments as on the motion for the second reading, or amendments for the recommittal of the bill, either in whole or in part and with or without instructions, may be moved. R. 470; B. 671-2; M. 421; C. no. 2217; Redl. III, 98; Man. no. 205.

SECTION VI. — *Passing of Public Bills and Sending of Same to the Legislative Council.*

574. — When any public bill has been read a third time, its title may forthwith be amended; then, it shall be deemed to have passed the house. R. 472 and n. 1; M. 423; Redl. III, 100; Camp. 198; Man. no. 208.

575. — 1. When any public bill originating in this house has passed the house, an order shall be deemed to have been made, "That the clerk do carry this bill to the Legislative Council, and desire their concurrence". R. 473 § 1; B. 673-4.

2. Such order shall not be inserted in the journal. R. 473 § 2.

576. — 1. When any public bill originating in the Legislative Council has passed this house without amendment, an order shall be deemed to have been made, "That the clerk do carry back the bill to the Legislative Council, and acquaint them that this house has passed the same without amendment". R. 474 § 1.

2. Such order shall not be inserted in the journal. R. 474 § 2.

577. — 1. When any public bill originating in the Legislative Council has passed this house with amendments, an order shall be deemed to have been made "That the clerk do carry back this bill to the Legislative Council, and acquaint them that this house has passed the same with an amendment (*or* several amendments), to which the house desires their concurrence". R. 475 § 1; C. nos. 2230, 2233.

2. Such order shall not be inserted in the journal. R. 475 § 2.

578. — When any public bill originating in this house has passed the house, the clerk shall carry or transmit a printed copy of the same to the Legislative Council with the following certificate at the end of such bill: "Passed by the Legislative Assembly on the (*date of the vote*)."
R. 476; B. 673; C. no. 2230.

579. — If a bill has been carried or transmitted to the Legislative Council by mistake, or contains any error, the house may, on a motion without notice, resolve to send a message to the Legislative Council to have the bill returned and, if necessary, the error rectified. R. 476 n.; M. 424-5.

SECTION VII. — *Disagreement Between the Two Houses upon the Text of Public Bills.*

580. — 1. When a public bill is returned from the Legislative Council with amendments, such amendments shall as a whole be read once only and without debate. R. 477 part mod.

2. The consideration of the amendments made by the Legislative Council shall be postponed to a subsequent sitting, unless the house unanimously consents to proceed forthwith to consider them. R. 477 n. 3.

3. The house, whilst considering amendments made by the Legislative Council, shall take them into consideration one by one, if required by any member; they shall then be agreed to, or disagreed to, or agreed to with amendments, or ordered to be referred to a committee, or the bill ordered to be laid aside. R. 477 part and n. 7 mod., 8; M. 425-6; C. no. 2236; Redl. III, 102; Camp. 200-1; Man. no. 212-3.

4. Any amendment to such amendments made by the Council, any committal or laying aside thereof may be proposed either by a main motion before the motion to agree is presented, or by an amendment to such motion to agree.

5. The debate on the amendments made by the Council shall be limited to such amendments, but the whole bill cannot be debated. R. 477 n. 9; B. 676; M. 426; Redl. III, 102; Camp. 201; Bl. Man. 327.

581. — 1. The house shall not agree to any amendments made by the Legislative Council involving an appropriation of public moneys or an imposition of charges upon the people, or altering, except as to its form, any provision for the appropriation of public moneys or the imposition of charges upon the people. R. 478 § 1 and n. 1; B. 407; M. 564, 566; Man. no. 251; Bl. Man. 275.

2. In order to expedite the business of the Legislature, the house shall, however, be willing to consider amendments from the Legislative Council imposing pecuniary penalties, and amendments from the Legislative Council to provisions for the imposition of pecuniary penalties, provided all such penalties shall be imposed only to punish or prevent contraventions. R. 478 § 2; B. 628; Be.no. 586; M. 566-7, 690; Man. no. 253.

582. — When the house wishes, with reference to any amendment made by the Legislative Council, to assert its privileges in financial matters, it shall disagree to the amendment, and then send to the Council a message stating that the amendment infringes the privileges of the house. R. 478 § 1 n. 2; B. 678; M. 568; Man. no. 251.

583. — No amendment can be proposed to an amendment of the Legislative Council that is not relevant to the same subject-matter. R. 479; B. 677; Be.no. 589; M. 427; Bl. Man. 273.

584. — To a public bill returned from the Legislative Council with amendments, no amendment can be proposed that is not relevant to or consequent upon either the acceptance or the rejection of any amendment of the Legislative Council. R. 480; B. 677-8; Be.no. 589; M. 427, 914; C. no. 2254; Camp. 201; Man. no. 218.

585. — If the Legislative Council disagrees to amendments made by the house, the house may insist, or not insist, on its amendments; or may modify them or substitute new amendments for them; or may propose new amendments and ask the Legislative Council to accept them as alternative to the amendments to

which the Legislative Council has disagreed; or may make further amendments to the bill consequent upon the rejection of its amendments; or may order the bill to be laid aside. R. 481; B. 677-8; Be. no. 589; M. 427, 914; C. nos. 2256-7; Man. nos. 212-3.

586. — If the Legislative Council disagrees to amendments made by the house to the amendments of the Legislative Council, the house may withdraw its amendments and agree to the amendments of the Legislative Council; or may make further amendments to the bill consequent upon the rejection of its amendments; or may propose new amendments and ask the Legislative Council to accept them as alternative to the amendments to which the Legislative Council has disagreed; or may insist on its amendments; or may order the bill to be laid aside. R. 482; B. 677-8; Be. no. 589; M. 426-8; C. nos. 2256, 2261; Man. no. 213; Bl. Man. 274.

587. — If the Legislative Council insists on its amendments to which the house has disagreed, the house may agree, with or without amendments, to such amendments and make, if necessary, consequential amendments to the bill; or may insist on its previous decision regarding such amendments; or may order the bill to be laid aside. R. 483; B. 676; Be. no. 589; M. 426, 914; C. no. 2245; Man. no. 213.

588. — If the Legislative Council agrees to amendments made by the house, with amendments, the house may agree, with or without amendment, to such amendments of the Legislative Council, making consequential amendments to the bill, if necessary; or may disagree thereto and insist on its own amendments; or may order the bill to be laid aside. R. 484; Be. no. 589; M. 426-8; C. no. 2261.

589. — If amendments made by the Legislative Council have been agreed to by the house without amendments the bill shall be returned with a message informing the Legislative Council of such acceptance. R. 485; B. 675; M. 430; C. nos. 2237, 2258, 2288.

590. — If amendments made by the Legislative Council have been agreed to by the house with amendments, the bill shall be returned with a schedule of such amendments and a message desiring the concurrence of the Legislative Council thereto. R. 486; C. nos. 2258, 2288.

591. — If amendments made by the Legislative Council have been disagreed to, the bill may be laid aside or it may be again sent to the Legislative Council with a message desiring its reconsideration. R. 487; M. 428-9; C. no. 2239; Bl. Man. 274.

592. — Whenever a public bill is returned with a message informing the Legislative Council that the house insists on its own amendments, or that any of the amendments made by the Legislative Council has been disagreed to, the message shall also contain either reasons for the house taking such decision, or a request for a conference. R. 488; B. 400, 675; Be. nos. 216, 224; M. 429; C. nos. 2239, 2243, 2258; Redl. III, 103.

593. — Whenever any message from the Legislative Council, accompanied by any amendment is read, the text of such amendment shall be entered in the journal, as well as the message itself. Be. no. 222.

CHAPTER III. — PRIVATE BILLS.

SECTION I. — *Declaratory Provisions.*

594. — **1.** Every bill for the purpose of obtaining for any individual, body or locality any exclusive or particular rights or privileges whatever, or the power to do any matter or thing which in its operation would affect the rights, privileges or property of other parties, or which relates to any particular locality or class of community, shall be treated as a private bill. R. 489; B. 706, 727 f.; Be. nos. 840, 847; M. 657 f.; C. nos. 754, 2407; Redl. II, 257; Todd P. B. 7-10.

2. It may, however, be proposed to repeal or amend a private act by a public bill. R. 489 n. 3.

3. A bill introduced as a private bill cannot be proceeded with as a public bill; likewise, a bill introduced as a public bill cannot be proceeded with as a private bill. R. 489 n. 5; B. 734; M. 657-8, 667; Todd P. B. 11.

SECTION II. — *Form and Contents of Private Bills.*

595. — Every private bill shall contain a preamble fully and truly setting forth facts that shall justify the adoption of the bill. R. 490 and n.; B. 773; Be. nos. 711, 863; C. no. 2100; Redl. II, 256.

596. — No private bill shall alter or repeal any general law or act. R. 491; B. 734; M. 669.

597. — Every private bill to amend any existing private act shall specify by their numbers all sections or articles to be repealed; and all sections or articles to be amended shall be inserted in full in the bill as proposed to be amended, with the amending words printed between brackets. R. 492; B. 761.

598. — **1.** Every private bill to incorporate any city, town or company, shall contain, in addition to special and absolutely necessary clauses, only such provisions as may derogate from general laws or acts. R. 493 § 1.

2. All sections or articles of any general law or act to be derogated from shall be specified in the bill by their numbers; and all sections and articles of any general law or act to be amended for the corporation or the company, shall be inserted in full in the bill, as proposed to be so amended, with the amending words printing between brackets. R. 493 § 2.

599. — **1.** When any private bill is for the purpose of confirming any letters patent, agreement, deed, or vote passed by any corporate body, a certified copy of such letters patent, agreement, deed or vote, as the case may be, must be attached to it and deposited with the clerk of the committee on private bills together with the bill itself. R. 494 § 1; B. 760; M. 769, 777; Todd P. B. 55.

2. Such copy shall be printed at the end of the bill and form part of same as a schedule. R. 494 § 2; M. 769.

3. When the present rule has not been complied with, the whole bill shall not be irregular, but only those clauses which the irregularity affects. R. 491 § 1 n. 1.

4. The irregularity may be rectified in committee on the bill. R. 494 § 1 n. 2; B. 761.

600. — **1.** Every private bill to authorize the construction of any work or the establishment of any service, which would be of public utility or might affect the rights or property of other parties, shall clearly specify the particular and exclusive rights and privileges sought for, and indicate the proposed location of the work to be constructed and of the lines to be established, and mention the names of the localities in which the work is to be constructed and

the service established, and also the names of the principal localities through which the lines are to run. R. 495 § 1.

2. Moreover, a map or plan, showing the district and places where it is intended to construct the proposed work, or to establish the proposed service, and showing also the existing or authorized works or services of a similar character within such district, must be deposited with the clerk of the committee on private bills at the same time as the bill. R. 495 § 2.

3. No committee shall consider any such bill or the petition for the introduction of any such bill, until a map or plan has been filed as aforesaid. R. 495 § 3.

4. If the bill is assented to, the clerk of the committee on private bills shall transmit such map or plan to the Department which the work or service may concern, after having written the number of the bill and affixed his signature on it. R. 495 § 4.

601. — 1. When any private bill is for the purpose of authorizing the admission of any person to the study or practice of the profession of advocate, or notary, or physician and surgeon, or homeopathist, or druggist, or veterinary surgeon, or civil engineer, or forest engineer, or surveyor, or architect, or optometrist and optician, it must be stated in the preamble that such bill has been approved by the board or council of the profession concerned. R. 496 § 1 mod.

2. Moreover, a duly certified copy of the resolution adopted by such board or council must be deposited with the clerk of the committee on private bills at the same time as the bill. R. 496 § 2.

3. The bill cannot be received, printed or introduced, nor the petition for the bill be considered by any committee, until a duly certified copy of such resolution has been filed. R. 496 § 3; R. S. Q. c. 267 s. 3.

SECTION III. — *Deposit and Preliminary Examination of Private Bills.*

602. — 1. Two copies of the bill in the French or English language, with, endorsed thereon, the name of the member who shall take charge of the bill, shall be deposited with the clerk of the com-

mittee on private bills, at least three weeks before the opening day of the session. R. 497 § 1 mod.

2. There shall also be, at the same time, deposited with the accountant of the Legislative Assembly a sum sufficient to pay for translating the bill, for its printing in French and in English, and for correcting and revising the printing; such translation to be done, in all cases, by the officers of the house and the printing by the government contractor. R. 497 § 2 mod.; B. 767.

603. — When any formality prescribed in rule 602 has not been complied with by the time therein specified, the bill, if it is for the purpose of incorporating any city, town, or company, or of amending the act of incorporation of any city, town or company, may be examined, printed or introduced only after payment of an additional fee of three hundred dollars; and in all others cases, only after payment of an additional fee of one hundred dollars. R. 498 mod.

604. — It shall be the duty of the clerk of the committee on private bills to send without delay to the law officers appointed to examine private bills all copies of bills, together with certificates showing the dates when the deposits and payments required by rules 602 and 603 have been made. R. 499.

605. — 1. It shall be the duty of the law officers appointed to examine private bills to make, on each bill submitted to them, a report in writing stating whether the bill is regular or not, and indicating the provisions of the bill, if any, which are at variance with the general laws or acts and not printed between brackets. R. 500 § 1.

2. Such report shall be sent immediately to the clerk of the committee on private bills. R. 500 § 2.

606. — When any private bill sent to the law officers is found by them to be regular, it shall be their duty to see that it be translated and printed without delay. R. 501.

607. — Private bills which are not framed in accordance with the rules and standing orders shall be corrected or recast by the promoters and reprinted at their expense, before any committee passes upon the same. R. 502.

SECTION IV. — *Petitions for the Introduction of Private Bills.*

§ 1. — Notices of Petitions.

608. — 1. Proceedings on a private bill shall be begun with a petition. R. 503 part; B. 745; M. 379, 677, 703; C. no. 2423; Redl. II, 256; Todd P. B. 32; Bl. Man. 297.

2. Every petition for the introduction of a private bill must be previously advertised by public notice. R. 503 part; C. no. 2411; Todd B. P. 19.

609. — 1. Such notice shall clearly and distinctly specify the nature and objects of the bill to be advertised. R. 504 § 1; B. 475; Be. no. 853; Todd P. B. 38, 49.

2. In the case of an intended petition for the introduction of a private bill for the erection of a toll-bridge, the notice shall also specify the rates intended to be asked, the extent of the privilege, the height of the arches, the interval between the piers or abutments, and also whether it is intended to erect a drawbridge or not, and the dimensions of the drawbridge, if any is to be erected. R. 504 § 2; B. 752; Todd. P. B. 38.

610. — Every notice shall be signed by the parties who are to introduce the bill or by their agent. R. 505.

611. — 1. Every notice shall be published in the *Quebec Official Gazette* in the French and English languages, and in a French newspaper in the French, and in an English newspaper in the English language, in the judicial district comprising the locality to be affected or in the judicial district where the majority of the parties interested reside. R. 506 § 1; B. 750.

2. If there is no French or English newspaper in the judicial district where a notice is required to be advertised, such notice shall be published in a French or an English newspaper, as the case may be, in the nearest judicial district. R. 506 § 2.

612. — Every notice shall be published at least once a week for a period of four consecutive weeks within the six months immediately preceding the date of presentation of the petition for the intended bill. R. 507; B. 752.

613. — 1. A copy of every newspaper containing the first and the last insertion of the notice shall be sent to the clerk of the committee on private bills. R. 508 § 1.

2. Each such copy shall be marked so as to show where the notice has been inserted. R. 508 § 2; B. 752.

§ 2. — Contents of Petitions.

614. — 1. Every petition for the introduction of any private bill shall clearly and distinctly specify the nature and objects of the bill. R. 509 § 1; B. 745; Todd P. B. 32.

2. If the bill is to contain any provision derogatory from general laws or acts, special grounds shall also be set forth in the petition for the introduction of such derogatory provision. R. 509 § 2.

§ 3. — Presentation and Reception of Petitions.

615. — A petition for the introduction of a private bill may be presented only within the first ten days of the session. R. 510.

616. — A petition for the introduction of a private bill may be received only within the first fifteen days of the session. R. 511.

617. — When a petition for the introduction of a private bill has been received, it shall stand referred to the committee on standing orders. R. 512; B. 745.

§ 4. — Examination of Petitions by Committee on Standing Orders.

618. — The committee on standing orders shall not consider any petition until the report from the law officers has been placed before the committee. R. 513.

619. — 1. The committee on standing orders shall, in each case, report whether the petition and the notice given thereof is regular and sufficient and whether the bill deposited is regular and in conformity with the notice and the petition. R. 514 § 1; B. 749, 753.

2. If any irregularity is found in the notice, in the petition or in the bill, the committee shall, in its report, point out the same to the house and state whether it is expedient or not to suspend the rules. R. 514 § 2; B. 749-50, 753-6; Todd P. B. 35, 48.

SECTION V. — *Introduction and Reading of Private Bills.*

620. — When a petition for the introduction of a private bill has been favourably reported on by the committee on standing orders, or, in case of an unfavourable report, when the house has decided that the rules may be suspended, a motion for leave to bring in the bill may be made immediately and without any previous notice. R. 515; B. 759; Todd P. B. 54.

621. — A private bill may be introduced only within the first three weeks of the session. R. 516.

622. — Every private bill originating in the Legislative Council shall, after its first reading, be referred to the committee on standing orders, unless such committee has already reported on a petition for the introduction of such bill. R. 517; B. 793; Todd P. B. 35-6.

623. — When any private bill from the Legislative Council has been favourably reported on by the committee on standing orders, such bill shall be placed for second reading on the agenda paper for the sitting following the reception of the report. R. 518; B. 793.

624. — On the second reading of a private bill, the house shall decide as to the principle of the bill, but conditionally and subject to the proof of the facts alleged in its preamble. B. 519 n. 1; Be. no. 865 f.; M. 710.

625. — **1.** Every private bill, when read a second time, shall be referred to the committee on railways and other means of communication or to the committee on private bills, according as it is or is not within the province of the committee on railways and other means of communication; or it may be referred to a special committee. R. 519 § 1; B. 764-5.

2. A private bill may also be referred to the committee on public bills, if its main object is to have one question of law or more settled.

3. All petitions for or against the bill shall stand referred to the same committee. R. 519 § 2; B. 749; C. no. 2460; Todd P. B. 56.

SECTION VI. — *Examination of Private Bills by Select Committees.*

626. — No standing or special committee to which any private bill may be referred shall consider the same until after a report from the law officers thereon and a certificate showing the payment of all such sums and fees as are required have been placed before the committee. R. 520.

627. — No standing or special committee on any private bill originating in this house shall consider the same until after three clear days' notice of the sitting of such committee has been first affixed in the lobby of the committee rooms; nor, in the case of any private bill originating in the Legislative Council, until after one clear day's like notice. R. 521.

628. — On the day of the posting of any bill under rule 627, the clerk shall without delay cause a notice of such posting to be appended to the agenda paper. R. 522.

629. — The private bills referred to a standing or special committee shall be considered in the order in which they have been referred. R. 520 n. 1; Todd P. B. 71.

630. — When a private bill is considered by a standing or special committee, the preamble shall be read and examined first, unless the adoption thereof is ordered to be deferred. R. 520 n. 2 part; B. 773; M. 784 f.; Todd P. B. 76.

631. — **1.** No promoter of any private bill shall be allowed to submit any amendments to any standing or special committee, until after a copy of the bill, containing such proposed amendments, has been deposited in the private bills office one clear day before the consideration of the bill by the committee. R. 523.

2. Every member of the committee may, however, submit any amendments, though they have not been deposited. R. 523 n.

632. — **1.** When a private bill is considered by a standing or special committee, interested parties may be heard themselves or by counsels or agents. R. 524 n. 1; M. 785; Todd P. B. 74.

2. Parties whose interests are merely affected by certain accessory clauses of the bill can only be heard when such clauses are examined. R. 524 n. 2; B. 772; M. 785; Todd P. B. 78.

3. Shareholders of a company shall not be entitled to be heard against the bill promoted by such company, unless their interests are distinct from those of such company. R. 524 n. 3; B. 774; M. 757; Todd P. B. 78; Bl. Man. 299.

4. No person whose interests are different from those of parties by whom the notice of petition has been given can avail himself of such notice to propose any clause or amendment to be inserted in the bill for the purpose of promoting his own interests. R. 503 n.; Todd P. B. 52.

5. The committee shall accept no clause or amendment not contemplated by the notice of petition or the petition, or changing the bill into a bill different from the one read a second time. R. 526 n. 1, 3; B. 779-80; Be. no. 872; M. 696, 791, 794; C. no. 2488; Todd P. B. 91.

633. — **1.** All persons whose interests or property may be affected by any private bill shall, when required to do so, appear before the standing or special committee to give their consent to the bill. R. 524 § 1; B. 773; M. 769.

2. If they send such consent in writing, proof thereof may be demanded by the committee. R. 524 § 2; B. 773.

634. — The standing or special committee to which any bill for incorporating a company is referred may require proof that the persons whose names appear in the bill as petitioners are of full age and in a position to effect the objects contemplated, and have consented to become incorporated. R. 525; B. 773.

635. — It shall be the duty of the standing or special committee to which any private bill may have been referred to call the attention of the house specially to every provision in such bill that does not appear to be covered by the petition for the introduction thereof or by the notice advertising the same. R. 526; B. 779; Todd P. B. 90.

636. — Every standing or special committee to which any private bill may have been referred shall, in every case, report the same. R. 527; B. 778; Be. no. 882; M. 801; Todd P. B. 94.

637. — When any material alteration has been made in the preamble of the bill, such alteration, and the reasons for the same, shall be stated in the report. R. 528; B. 778; M. 794; Todd P. B. 85.

638. — When a standing or special committee reports that the preamble of a private bill has not been proved to its satisfaction, it must also state the grounds upon which it has arrived at such decision. R. 529; B. 776; Todd P. B. 81.

639. — 1. A report from a standing or special committee upon any private bill may be received only within the first five weeks of the session. R. 531.

2. The house may extend such delay upon the recommendation of the committee on standing orders and of one of the standing committees charged with the consideration of private bills. R. 531 n. 1; B. 758.

3. When the delays expire without being extended, the powers of the select committees charged with the consideration of private bills shall lapse; and then, such committee can recommend the extension of delays only after a resolution reviving their powers has been adopted on a motion after notice. R. 531 n. 2; B. 758.

640. — When a standing or special committee to which any private bill may have been referred reports that the preamble of the bill has not been proved to its satisfaction, such bill shall not be placed on the agenda paper, or referred again to a select committee, except by special order of the house voted on a motion after notice. R. 532; B. 786.

SECTION VII. — *Examination of private bills by committees of the whole house and third reading thereof.*

641. — 1. All or several private bills which may be fixed for consideration in committee of the whole house on the same day may, on one motion without notice, be referred together to a committee of the whole house. R. 533 § 1; Todd P. B. 101.

2. In such case, the committee shall consider all such bills without the Chairman leaving the chair on each separate bill. On rising, the Chairman shall report separately such bills as have been adopted by the committee, such bills on which progress has been made, and such bills as have not been considered by the committee. If the committee decides to rise before having considered any bill referred to it, such bills may be referred to any other committee of the whole house during the same sitting of the house. R. 533 § 2.

642. — In committee of the whole house, the preamble of any private bill shall be considered previously to all other parts of such bill. R. 534; Todd P. B. 106.

643. — **1.** No amendment to a private bill, except as to form, can be moved in committee of the whole house, unless a previous notice has been given thereof by inscription on the agenda paper of the day. R. 535 § 1; B. 787; C. no. 2500; Todd P. B. 105-6.

2. Though no notice has been given thereof, the whole of a clause may be struck out in committee of the whole house, and any amendments necessary to protect the public and to safeguard private rights may also be proposed by any minister of the Crown. R. 535 § 1 n. 2.

644. — At the third reading, a private bill cannot be proposed to be again referred to a committee of the whole house with instructions to amend such bill, unless such amendment has for its object to strike out the whole of a clause, or unless notice has been given thereof by inscription on the agenda paper of the day. R. 535 § 2; C. no. 2500; Todd P. B. 105-6.

645 — **1.** The amendments which have been deposited in conformity with the two preceding rules shall be placed on the agenda paper of the next sitting immediately after the order of the day relating to the private bill which they concern. R. 535 § 3.

2. If an amendment of which notice has been given in conformity with the present rule is not submitted by the member in whose name it stands on the agenda paper, it may be proposed by any other member. R. 535 § 4; Man. no. 177.

SECTION VIII. — *Suspension of Rules.*

646. — Except in cases of urgent necessity, no motion for the suspension of any rule upon any private bill or any petition for the introduction thereof, shall be made, unless two clear days' notice shall have been given. R. 536; B. 795; M. 810; C. no. 2506; Todd P. B. 110.

647. — No motion for the suspension of any rule upon any petition for a private bill shall be entertained, unless a report either upon such petition or upon such motion has been made by the committee on standing orders. R. 537; B. 746; Todd P. B. 47.

648. — No motion for the extension of delays prescribed by rules 615, 616, 621 and 639 shall be entertained, unless reports recommending such extension have been made by the committee on standing orders and by one of the standing committees charged with the consideration of private bills. R. 538; B. 746-7.

SECTION IX. — *Parliamentary Agents.*

649. — No person shall act as parliamentary agent conducting proceedings before the house or any committee thereof, without authority of the Speaker. R. 539; B. 743; M. 691-3; Todd P. B. 30.

650. — **1.** All parliamentary agents shall be personally responsible to the house and to the Speaker for the observance of the rules, orders and practice of the Legislative Assembly, and of the rules prescribed by the Speaker, and also for the payment of all fees and charges. R. 540 § 1; B. 743; M. 693; C. no. 2412; Todd P. B. 29.

2. A list of such agents shall be kept by the registrar of private bills. R. 540 § 2; C. no. 2413; Todd P. B. 29, 31.

651. — **1.** Any parliamentary agent who wilfully acts in violation of the rules, orders and practice of the Legislative Assembly, or of any rule prescribed by the Speaker, or who wilfully misconducts himself in prosecuting any proceedings, shall be liable to temporary or absolute prohibition to practice as a parliamentary agent, at the pleasure of the Speaker. R. 541 § 1; B. 744; M. 693; C. no. 2413; Todd P. B. 30.

2. Upon the application of such agent, the Speaker shall state in writing the ground for such prohibition. R. 541 § 2; B. 744; M. 693.

SECTION X. — *Charges and Sums Payable on Private Bills.*

652. — **1.** In addition to the sums and fees payable under rules 602 and 603, the promoters of any private bill shall, immediately after the second reading of such bill, deposit with the accountant of the Legislative Assembly a sum sufficient to pay the cost of printing the proposed act in the Statutes book of the session. R. 542 § 1.

2. They shall also pay at the same time the following fees, viz:

(1) In the case of any bill to incorporate a city or to consolidate any such act of incorporation, a fee of two hundred and fifty dollars;

(2) In the case of any bill to incorporate a company, a fee to be calculated on the amount of the proposed capital stock and according to the tariff of fees then in force respecting the incorporation of companies by letters patent; provided such fee be increased by fifty per centum (See *Tariff*, p. 176);

(3) In the case of any bill to increase the capital stock of an existing company, a fee to be calculated on the amount of the proposed increase of capital stock and according to the tariff of fees then in force respecting the increasing of the capital stock of companies; provided such fee be increased by fifty per centum (See *Tariff*, p 176);

(4) In the case of any bill to confirm letters patent granted to any company or to amend the act of incorporation of any company, without increasing its capital stock, a fee to be calculated on the capital stock of the company and according to the tariff of fees then in force respecting the issuing of supplementary letters patent to companies; provided such fee be increased by fifty per centum (See *Tariff*, p. 176);

(5) In all other cases, a fee of two hundred dollars. R. 542 § 2 mod.

3. Provided, that the above fees shall, in no case, be less than two hundred dollars. R. 542 § 3.

4. Provided also, that they shall apply to private bills originating in the Legislative Council, unless a certificate is produced showing that they have been paid to the clerk of the Legislative Assembly. R. 542 § 4.

5. In this rule, the term "capital stock" includes any increase thereto provided for in the charter of the company or in the bill; and where power is given in a charter or taken in a bill to increase at any time the amount of the capital stock, the fees shall be payable on the maximum amount of such authorized or proposed increase. R. 542 § 5.

653. — The following fees shall also be paid in addition to the fees provided for in rule 652, viz:

(1) Whenever the promoters of any private bill avail themselves

of the suspension of any rule or of an extension of any of the delays prescribed by rules 615, 616, 621 and 639, fifty dollars;

(2) When any private bill is introduced in the house after the fourth week of the session and before the end of the fifth week, one hundred dollars;

(3) When any private bill is introduced in the house after the fifth week of the session, two hundred dollars. R. 543.

654. — If any increase in the amount of the capital stock or the proposed capital stock of a company is made either by the house or by the Legislative Council at any stage of a private bill to incorporate such company or to amend such act of incorporation, the promoters of the bill shall pay an extra fee calculated according to the provisions of rule 652. R. 544.

655. — All additional or extra fees must be paid as they become due. R. 545.

656. — The promoters of a private bill shall be responsible for the payment of, and must pay in advance, all costs and expenses incurred by the Legislative Assembly in connection with such bill. R. 546.

657. — No private bill shall be considered, nor advanced to a further stage, until its promoters have paid all the fees and sums owed by them to the Legislative Assembly. R. 547.

SECTION XI. — *Miscellaneous.*

658. — 1. A notice shall be given of every motion to reimburse any fee to the promoters of a private bill. R. 545 n. 2; B. 768-9.

2. In case of reimbursement of fees paid during a preceding session, the motion must be previously recommended by the Lieutenant-Governor and agreed to in committee of the whole house. R. 545 n. 3; B. 769; Todd P. B. 62.

659. — 1. The house cannot proceed on any private bill, if the promoters thereof have declared that they abandon it. R. 548; M. 671, 801; C. nos. 758, 2408; Todd P. B. 2.

2. However, other parties whose rights or interests are similar to the promoters, or whose capacity is the same, may be authorized to continue the proceedings, upon a petition containing the grounds which justify their intervention. R. 549; M. 671; C. no. 2408.

660. — **1.** It shall be for the house or its committee, but not for the Speaker and the Chairman of committees, to decide on the insufficiency of petitions, notices and papers to be filed with private bills. R. 550.

2. The Speaker and the Chairman of any committee may, however, declare as irregular any proposed amendments not contemplated in the notices or petitions. R. 550 n. 2.

661. — **1.** A book to be called *Private Bills Register* shall be kept, in which book shall be entered by a clerk appointed for that purpose, the names, description and places of residence of the parties applying for every private bill, and of their agent, the amount of fees paid, and all the proceedings on the bill from the time of the deposit of the bill to the passing thereof; such entries to specify briefly each proceeding in the house or in any committee to which the bill or the petition may be referred, and the day on which the committee is appointed to sit. R. 551 § 1; B. 765; C. no. 2414; Todd P. B. 31.

2. Such book shall be open to public inspection during office hours. R. 551 § 2; B. 766; C. no. 2414; Todd P. B. 31.

662. — **1.** The clerk of the house shall cause lists of all private bills and petitions for private bills to be prepared daily by the clerk of the committee to which such bills or petitions are referred, specifying the time of the meeting and the room where the committee sits. R. 552 § 1; B. 771.

2. — The clerk of the house shall cause such lists to be hung in the lobby of the committee rooms. R. 552 § 2; B. 771.

663. — The clerk shall, during the interval between the summoning and the convening of the Legislature for the dispatch of business, publish in the *Quebec Official Gazette* the days on which the time limited for presenting and receiving petitions for private bills, for depositing and introducing private bills, and for receiving reports from select committee charged with the examining of private bills, will expire. R. 553; B. 753.

664. — The clerk shall also announce, by notice affixed in the lobbies of the house and of the committees, by the first day of every session, the days on which the time limited for presenting and receiving petitions for private bills, for introducing private

bills, and for receiving reports from select committee charged with the examining of private bills, will expire. R. 554; B. 753.

665. — Except as herein otherwise provided for, the rules relating to public bills shall apply to private bills. R. 555; B. 759; M. 673; C. no. 2409.

TITLE XII.

QUESTIONS AND ANSWERS.

CHAPTER I. — QUESTIONS.

SECTION I. — *To Whom Questions may be Addressed.*

666. — Every member may address questions to a minister of the Crown or to another member to obtain information. R. 556; B. 431, 433; M. 240-1; C. nos. 750, 1568-9; Redl. II, 241; Camp. 127-8; Man. no. 57.

667. — No question in writing can be addressed to the Speaker. But oral questions may be addressed to him with reference to the business of the house, or to forms to be followed. R. 557 and n.; M. 190, 240; C. no. 1579; Redl. II, 241; Man. no. 53.

SECTIONS II. — *Objects of Questions.*

668. — Every question addressed to a minister of the Crown must relate to some public affairs within the power of the Legislature and of the government, to some act for which such minister is responsible to the house, or to some intention of such minister or of the government as to legislative or administrative measures. R. 558 and n. 2, 4; B. 433; Be. no. 339; M. 240; C. nos. 1568, 1570, 1591; Redl. II, 241-2; Camp. 129; Man. no. 57.

669. — Every question addressed to an unofficial member must relate to some public matter connected with the business of the house and of which the member may have charge. R. 559; B. 435; M. 241; C. nos. 1576-8; Redl. II, 241; Man. no. 57.

SECTION III. — *Form and Contents of Questions.*

670. — 1. A question may not mention any name or contain any statement of facts, unless such mention or statement are necessary to render the question intelligible. R. 560; B. 434; Be. nos. 342, 349; M. 242-3; C. no. 1573; Redl. II, 243; Camp. 128; Man. no. 57; Bl. Man. 126.

2. Every statement of facts in a question must be strictly accurate. R. 560 n. 2; Be. no. 341; Man. no. 57.

671. — A question may not refer to any article published in a newspaper, to any declaration made by a private individual or an unofficial body, nor to any statement made by another member. R. 561; B. 434; Be. no. 351; M. 242-3; C. nos. 1571, 1578; Camp. 128-9.

672. — A question may not contain any expression of opinion, any argument, any innuendo, any imputation, any epithet, any aggressive or ironical expression, or any words not allowed in a speech. R. 562; B. 433-4; Be. no. 349; M. 242; C. no. 1573; Redl. II, 243; Camp. 128-9; Man. no. 57; Bl. Man. 126.

673. — A question may not refer to any debate that has occurred, or to any answer that has been given, in the current session. R. 563; Be. no. 341; M. 242; Camp. 130; Man. no. 57; Bl. Man. 126.

674. — A question may not be asked about proceedings in a committee or a royal commission which have not been reported or placed before the house. R. 564; Be. nos. 342, 665; M. 242, 445-6; Redl. II, 243; Camp. 129-30; Man. no. 57; Bl. Man. 174.

675. — A question may not ask for an expression of opinion, nor for the solution of an abstract legal question or of a hypothetical proposition. R. 565; B. 434, 435 and n. o; Be. no. 350; M. 242; Camp. 128-9; C. no. 1580; Man. no. 57; Bl. Man. 126.

676. — A question may not be asked as to the conduct of any person, except in his official capacity. R. 566; Be. no. 246; M. 243; Camp. 130; Man. no. 57.

677. — No question reflecting on the conduct of any person whose conduct can only be called in question on a substantive

motion shall be allowed. R. 567; B. 435; Be. no. 344; M. 243; Redl. II, 243; Camp. 130; Man. no. 57.

678. — No question making or implying a reflection of a personal character shall be allowed. R. 568; Be. no. 345; M. 243; Camp. 130; Man. no. 57.

679. — A question fully answered, or which one has refused to answer, may not be asked again during the same session. R. 569 and no. 1; M. 246; Redl. II, 243; Camp. 128; Man. no. 57; Bl. Man. 127; Bl. 272.

680. — No question that may prejudice a pending trial shall be allowed. R. 570; B. 435; Be. no. 347; M. 243; Camp. 130; Bl. 268.

SECTION IV. — *Notices of Questions.*

681. — No question shall be asked unless a notice has been given thereof such as prescribed for notices of motions. R. 571; B. 423; M. 238-9; Redl. II, 242; Man. no. 53.

682. — Any member who has given notice of a question may withdraw such question by notice given in writing to the clerk, or by a declaration to the same effect from his seat. Be. no. 355.

SECTION V. — *Irregularities.*

683. — **1.** Irregular questions and irregular notices of questions shall be dealt with as irregular motions and irregular notices of motions. R. 572; B. 433-4; M. 239; Redl. II, 243.

2. The irregularity of a question cannot be noticed after the question has been read. R. 572 n. 1; B. 434.

SECTION VI. — *By Whom Questions may be Asked.*

684. — **1.** A question may be asked only by a member in whose name it appears on the agenda paper, or by some member deputed on his behalf. R. 573 § 1; M. 244; Redl. III, 31; Man. no. 56.

2. In case it contains allegations affecting the conduct of any person, it may be put, however, by any member. R. 573 § 2; M. 244; Man. no. 56.

CHAPTER II. — ANSWERS TO QUESTIONS.

685. — A minister of the Crown may, if he thinks fit, answer any question appearing on the agenda paper, although it is not asked when called. R. 574; M. 244; Redl. III, 31; Man. no. 56.

686. — **1.** A minister of the Crown may decline to answer any question if it is against public interest to give the information sought, or if such information is contained in a document whose production may be demanded by an order or an address of the house, or if such information can only be conveniently given in a general debate. R. 575 and n. 2; B. 435; M. 240; C. no. 1575; Man. no. 56; Bl. Man. 126-7.

2. A minister of the Crown may decline to answer any question without giving any reason. R. 575 n. 1; Redl. II, 243; Todd II, 429.

3. The refusal of a minister of the Crown to answer a question cannot be discussed on a question of privilege, or on a motion for the adjournment of the house. M. 240.

687. — **1.** Every answer to a question must be confined to the points of the question, with only such explanation as is necessary to render it intelligible. R. 576 § 1; B. 434; M. 245; C. no. 1575; Bl. Man. 127.

2. It shall be brief and distinct, and contain no argument, or expression of opinion, or words not allowed in a speech. R. 576 § 2; B. 434; C. no. 1575.

3. A certain latitude, however, shall be permitted to ministers of the Crown. R. 576 § 3; B. 434; M. 245; Bl. Man. 127.

CHAPTER III. — PROVISIONS COMMON TO QUESTIONS AND ANSWERS.

688. — **1.** Questions and answers thereto shall be in writing and shall be read. R. 577 § 1; Be. no. 338.

2. No debate can ensue. R. 577 § 2; B. 434-5; C. no. 1574; Redl. II, 242-3.

3. They shall be deposited in duplicate. R. 577 § 3.

4. They shall be inserted in the journal. R. 577 § 4; C. no. 1575.

TITLE XIII.

ACCOUNTS AND PAPERS.

CHAPTER I. — DECLARATORY PROVISIONS.

689. — No account or paper shall be laid before the house, except in pursuance of the command of the Lieutenant-Governor, or of an order of the house, or of an address to the Lieutenant-Governor, or of an act of the Legislature, or of the rules and standing orders of the house. R. 578; B. 356-8; Be. no. 433; C. no. 918; Redl. II, 39; Man. no. 271; Bl. Man. 113.

CHAPTER II. — DEMANDS FOR ACCOUNTS AND PAPERS.

690. — **1.** The house may, on a motion after notice, either by order or by address to the Lieutenant-Governor, demand the production of every account and paper relating to any matter of public interest within the jurisdiction of the Legislature or of the government, unless the government has declared that the account or paper sought is of a private or confidential nature, or that the production of such account or paper would be injurious to the public interest. R. 579 and n. 2, 3; B. 359, 364-5, 369; Be. nos. 438-9; M. 620-3; C. nos. 909, 922-3; Man. no. 271.

2. Except when they have been quoted by a minister of the Crown, the following accounts and papers shall be treated as private and confidential, viz: estimates by and reports from engineers of departments and commissions; opinions of the law officers of the Crown given to ministers; communications between law officers of the Crown respecting trials; judges' and coroners' notes taken at trials or inquiries; reports from officers or servants to the heads of their departments; reports from departmental commissions; notes between officers or servants of the same department. R. 579 n. 4; B. 365-6; M. 623; Camp. 170; Todd I, 442-3.

691. — **1.** The production of accounts and papers relating to matters connected with the exercise of royal prerogative can be demanded only by address. The production of all other documents shall be ordered. R. 580; B. 359-61; M. 620-1; C. nos. 909-10; Redl. II, 40; Man. no. 271.

2. The production of the following accounts and papers ought to be demanded by address, viz: dispatches from or to the governments of Canada or of Great Britain; orders in council of the government of the Province; correspondance between the latter and any other government; papers respecting any royal commission; petitions, demands of public aid and memorials addressed to the Lieutenant-Governor in council; petitions of right, decisions and sentences of courts, and also all papers relative to the administration of justice; papers relative to the trial of controverted elections, and to the expenses of returning-officers. R. 580 § 1 n.; B. 360-1; Be. no. 436; M. 620-1; C. no. 910.

692. — When the house desires the communication of any account or paper being in the possession of the Legislative Council, it must be demanded by a message to the Legislative Council, voted on a motion after notice. R. 581; B. 402-3; Be. no. 449; M. 622.

693. — Any motion for the production of any account or paper shall contain a sufficient description of such account or paper. B. 582 n. 2; B. 363; C. no. 920.

694. — 1. It shall be incumbent upon every member who moves for the production of any account or paper to state the reasons upon which his motion is founded. R. 582; B. 371; M. 623; C. no. 920.

2. The motion shall not be adopted, if the account or paper demanded has already been laid upon the table, or published by any department, or if the object of the demand is to prove or disprove an assertion made by any member on some former occasion, or to promote the interests or undertakings of any private individual. R. 582 n. 4, 5; B. 369-70; C. nos. 923, 925.

695. — 1. As soon as an address or an order for accounts and papers has been passed, it shall be forwarded by the clerk assistant to the Provincial Secretary, who shall forthwith notify the interested departments or officers of the accounts and papers demanded. R. 583; B. 362; C. no. 914.

2. It shall be the duty of such departments or officers to make haste and to take care in preparing the accounts and papers demanded. Only such accounts and papers as are within the order or the address can be furnished. R. 583 n. 1; B. 362, 364; Be. nos. 451, 882; M. 623; C. no. 926.

3. All accounts or papers demanded that are not laid upon the table before the closing of the current session shall be brought down during the following session. R. 10 § part; Be. no. 824; M. 623.

696. — When a minister of the Crown quotes in whole or in part any public account or paper, he should be prepared to lay it upon the table; and, notwithstanding any rule to the contrary, he must lay it upon the table immediately, if called for as soon as he has made the quotation, unless it is of such a nature that its production would be inconsistent with the public interest. R. 584; B. 461; Be. nos. 288, 315; M. 328; Camp. 169-70; Man. no. 154; Bl. Man. 322.

CHAPTER III. — DEPOSIT OF ACCOUNTS AND PAPERS.

697. — Accounts and papers which are required to be presented to the house by an act of the Legislature, or by the rules and standing orders of the house, may be deposited in the office of the clerk, and thereafter communicated to the house by the Speaker. R. 585.

698. — **1.** Accounts and papers required to be presented to the house by a special order or by an address to the Lieutenant-Governor shall be laid on the table by a minister of the Crown. R. 586 § 1; B. 362.

2. If, however, such accounts and papers relate to the business of the house, they shall be laid on the table by the clerk. R. 586 § 2; B. 285, 362.

699. — When the papers laid upon the table are not complete, they shall be accompanied with a statement showing the reasons why it is impossible to fully comply with the address or order. R. 586 § 2 n. 1; C. no. 926.

700. — **1.** When any account or paper has been laid on the table, the house may, on a motion without notice, order such account or paper to be taken into consideration at a future date. R. 586 § 2 n. 3; B. 365; Be. no. 452; M. 625.

2. When an account or paper is taken into consideration, any motion based on such account or paper may be made. Be. no. 452.

CHAPTER IV. — PRINTING OF ACCOUNTS AND PAPERS.

701. — Accounts and papers presented by command of the Lieutenant-Governor shall be printed under the directions of the department from which they issue. R. 587; Man. no. 271.

702. — Accounts and papers laid in pursuance of an act of the Legislature, or of rules and standing orders of the house, or of an order of the house, or of an address to the Lieutenant-Governor, shall be printed by order of the house and under the directions of the Speaker. R. 588; Man. no. 271.

703. — All accounts and papers laid on the table shall stand referred to the joint committee on printing, who shall decide and report whether it is expedient to print the same. R. 589; B. 371-2.

704. — Every motion for the printing of any document must be preceded by a notice and, before the question is put thereon, be referred to the committee on printing and reported by such committee. R. 590; B. 376-7.

CHAPTER V. — MISCELLANEOUS.

705. — **1.** It shall be the duty of the clerk to prepare and cause to be printed, after the votes and proceedings of the first sitting of each session, a list of the departments and officers whose duty it is to make periodical reports or statements to the house. R. 591 § 1.

2. Such list shall show, opposite the names of each such department or officers:

(1) The nature of the report or statement to be made;

(2) The section or article of the statute, or the number of the rule, or the resolution, ordering such report or statement to be made;

(3) The time when each report or statement is to be made. R. 591 § 2.

706. — It shall be the duty of the clerk of the Crown in chancery, immediately after every general election, to make and cause to be printed, and transmit to the house, a detailed report on such election, and on the by-elections which have been held during the preceding Legislature. R. 592.

707. — 1. All accounts and papers laid on the table of the house shall be considered public. R. 593 § 1.

2. They may be inspected at the record office of the house by members and, with the permission of the Speaker, by other persons, and copies thereof or extracts therefrom may be made. R. 593 § 2; B. 363.

TITLE XIV.

WITNESSES.

CHAPTER I. — SUMMONING OF WITNESSES.

708. — The house may, by orders signed by the Speaker or by the clerk, summon persons to attend as witnesses either before itself or before any of its committees and order them to bring with them books, papers and records. R. 594 and n. 2; B. 163; Be. no. 689; M. 577; C. nos. 658, 930, 934, 936, 945; Redl. II, 192; Man. no. 261; Bl. Man. 155.

709. — Any committee having power to send for persons, papers and records, may summon witnesses by orders signed by the chairman of the committee and order them to bring with them books, papers and records. R. 595 and n. 1; B. 557; Be. no. 676; M. 474, 578; C. 939, 1902; Redl. II, 192; Camp. 218; Man. nos. 90, 262.

710. — 1. If the person whose attendance as witness is desired by the house or any committee thereof is in prison, the Speaker shall, in pursuance of an order of the house, issue his warrant to the keeper of the prison requiring him to bring the prisoner, in safe custody, in order to his being examined. R. 596; B. 164-5; Be. no. 690; M. 578; C. nos. 659, 948; Redl. II, 192; Camp. 218; Man. no. 263; Bl. Man. 155.

2. When the witness is in the custody of the sergent-at-arms of the house, an order of the house shall be sufficient. R. 596 n. 1; C. nos. 659, 948.

3. When the witness is in the custody of the sergent-at-arms of the Legislative Council, the house shall send to the Council

a message requesting them to direct their sergeant-at-arms to bring the witness, in order to his being examined. R. 596, n. 2; Be. no. 691; M. 578; C. no. 949.

711. — **1.** Every order to attend shall be voted on a motion after notice and shall mention the name of the witness summoned, the place where and the day and hour when he shall attend, and also, if necessary, a specific description of the books, papers and records which he shall bring with him. R. 594 n. 1, 2, 595 n. 2; B. 163; Be. no. 690; M. 578; C. nos. 634, 936, 938, 948; Redl. II, 192; Camp. 218.

2. An order may require a witness to attend from day to day, till the enquiry is closed. R. 594 n. 3; C. no. 938.

712. — If the house or a committee of the whole house desires the attendance of a member as witness, the house shall order such member to attend in his place at a fixed sitting. R. 597; M. 578-9; C. no. 942; Bl. Man. 156.

713. — **1.** If a committee having power to send for persons, papers and records desires the attendance of a member as a witness, the chairman shall write and request him to attend. R. 598; B. 558; Be. no. 678; M. 578-9; C. no. 942; Man. no. 265; Bl. Man. 166.

2. If a member submit himself to examination as a witness, he cannot afterwards refuse to answer proper questions. R. 599 n.; C. no. 942.

714. — If any member of the house refuses, upon being requested to do so, to come and give evidence before a committee, the committee shall acquaint the house therewith, but cannot summon such member to attend. R. 599; B. 558; Be. no. 679; M. 579; C. no. 942; Bl. Man. 166-7.

715. — If the house or any committee thereof desires the attendance of any member or officer of the Legislative Council as witness, the house shall send a message to the Legislative Council to request that leave be given such councillor or officer to attend in order to be examined, and stating the matters in relation to which they are desired to be examined. R. 600; B. 395-6, 557-8; Be. no. 677; M. 579-80; C. nos. 734, 943-4; Man. no. 266; Bl. Man. 156.

CHAPTER II. — SERVICE OF SUMMONS ON WITNESSES.

716. — Orders of the house summoning witnesses are served by the sergeant-at-arms, or by a messenger, or by mail, or by telegraph. R. 601; B. 163; M. 597; C. nos. 658, 945.

717. — Orders of a committee summoning witnesses are served by the clerk attending the committee, or by a messenger, or by mail, or by telegraph. R. 602.

CHAPTER III. — FAILURE OF WITNESSES TO COMPLY WITH ORDERS OF THE HOUSE OR OF A COMMITTEE.

718. — If a witness neglects or refuses to comply with any order of a committee having power to require the attendance of witnesses, his non-compliance shall be reported to the house. R. 603; B. 559; Be. no. 679; M. 474, 577-8; C. nos. 662, 939, 1902; Redl. II, 192; Man. nos. 90, 262.

719. — **1.** Every witness who neglects or refuses to comply with any order of the house, or of a committee having power to require the attendance of witnesses, shall be liable to the punishments attached to a breach of the privileges of the house. R. 604; B. 165; Be. nos. 679, 689; M. 474, 577-8; C. nos. 661-2, 930, 946, 1902; Redl. II, 192; Camp. 218; Man. nos. 90, 264.

2. If a witness neglects or refuses to comply with any order of the house or of a committee, he may, on a motion without notice, be declared guilty of a contempt of the houses, and, on a like motion, the sergeant-at-arms may be ordered to take him into custody, and the Speaker, to issue a warrant accordingly. The house shall afterwards deal with the witness as it pleases. R. 604 n. 1; B. 165; Be. nos. 679, 689; M. 577-8; C. nos. 661-2, 939, 946, 1902.

3. If a witness neglects or refuses to attend, the sergeant-at-arms may, on a motion without notice, be ordered to bring him in custody and the speaker, to issue a warrant accordingly. R. 604 n. 2; B. 165; M. 577-8; C. nos. 662, 946.

4. If a witness refuses to answer proper questions, he may, on a motion without notice, be ordered by the house to be admonished and to answer them. If he refuses to obey such order, he may, on

a motion without notice, be committed until he expresses his willingness to answer. R. 604 n. 3; B. 165; Be. no. 679; C. no. 661.

CHAPTER IV — HEARING OF WITNESSES.

720. — The order of the day for the attendance of a witness shall be placed upon the agenda paper of the sitting during which such witness shall attend. R. 608 n. 1; B. 163.

721. — When the order of the day for the attendance of a witness has been read, he shall be called to the bar of the house. R. 608 n. 1; B. 163.

722. — **1.** When a witness attends before the house, or a committee of the whole house, he shall stand at the bar. R. 608; Be. no. 701; M. 584; C. no. 973; Bl. Man. 155.

2. The bar shall be kept down during the examination of the witness. R. 608 n. 2; B. 164 n. c; Be. no. 701; M. 584; C. no. 961; Bl. Man. 156.

3. If the witness is in custody of the sergeant-at-arms, or a gaolkeeper, the sergeant-at-arms shall stand with the mace near the bar. R. 608 n. 3; Be. no. 701; M. 584; C. no. 962.

723. — Witnesses attending before the house, or a committee, shall be examined one at a time, but not in each other's presence, except whenever it is necessary to confront them together. R. 608 n. 8; C. no. 985.

724. — Witnesses summoned to attend before the house, or any of its committees, may be examined upon oath. R. 605; R. S. Q. c. 4, s. 80; B. 564; Be. no. 696; M. 582; Redl. II, 192; Camp. 218; Man. no. 269.

725. — The oath to be administered to a witness shall be in the following form: "The evidence you shall give to the house (or the committee) touching . . . shall be the truth, the whole truth, and nothing but the truth. So help you God." R. 605 n.; R. S. Q. c. 4, s. 80.

726. — Every oath taken by a witness before the house, or any committee of the whole house, shall be administered by the Speaker or the Chairman of committee, as the case may be, or by the clerk. R. 606; Be. nos. 700, 705; M. 583; Redl. II, 192; Man. nos. 267-8.

727. — Every oath taken by a witness before a select committee shall be administered by the Chairman, or any member thereof. R. 607; Be. no. 702; Camp. 220; Man. no. 268.

728. — Members shall be examined in their places. R. 612; B. 164 n. o; Be. no. 695; M. 585; C. no. 973; Bl. Man. 156.

729. — **1.** When any member of the Parliament of Canada, or any legislative councillor, or any judge, attends before the house, he shall be introduced by the sergeant-at-arms and have a chair placed for him within the bar. R. 613 § 1; Be. no. 707; M. 585; C. no. 973; Bl. Man. 156.

2. He shall stand while answering any question. R. 613 § 2; Be. no. 707; M. 585; C. no. 973.

730. — **1.** When a witness attends before the house, the Speaker shall put to such witness the questions which the house, upon the motion of any member, has decided to put. R. 609 § 1; B. 164; Be. no. 706; C. nos. 976, 977; Bl. Man. 155.

2. By general consent, a member may put his question directly to the witness; in such a case, questions shall be deemed to have been put through the Speaker, and the answer shall be given to the Speaker. R. 609 § 1 n. 1; B. 164; Be. no. 706; M. 584; C. nos. 964, 979.

3. In examining a witness, questions shall be put and answers thereto given in respectful terms. If the witness gives any answer in a disrespectful manner, the Speaker may reprimand or admonish him immediately. R. 609 § 1 n. 2, 3; B. 165; C. nos. 967, 984.

4. When a member examines a witness directly, other members may object to the questions for any of the reasons that may ordinarily be offered by parties or counsels before the courts. R. 609 § 1 n. 4; Be. no. 706; C. no. 981.

5. If any objection is raised, or any difference arises, the house may order the witness to withdraw whilst the same is under discussion. R. 609 § 2; Be. no. 706; M. 585; C. no. 980; Bl. Man. 155.

731. — When a witness attends before a committee of the whole house, any member may put questions directly to him. R. 611; Be. no. 693; M. 585.

732. — The evidence of every person examined by the house shall be inserted in the journal, with the names of the members if the questions have been put directly to the witness. R. 610 and n. 1; B. 164; C. no. 987.

733. — **1.** Every witness attending before the house, or any committee thereof, may claim the protection of the house in respect of the evidence he is called upon to give, and also ask leave to be assisted by counsel. R. 614; B. 157; Be. no. 687; M. 129-30, 583; C. nos. 1001-4, 1903; Camp. 218; Bl. Man. 155.

2. A witness who has attended before the house, or any committee thereof, cannot, without the authorization of the house, be prosecuted or sued for having disclosed certain facts, unless his testimony as to those facts is false. R. 614 n. 1; B. 166-7; Be. no. 688; C. no. 1001.

CHAPTER V. — MISCELLANEOUS.

734. — It shall be a high breach of the privileges of the house to give false evidence before the house, or any committee thereof, or to tamper with any person in regard to the evidence to be given before the house, or any committee thereof, or to endeavour, directly or indirectly, to deter or hinder any person from appearing or giving evidence before the house, or any committee thereof. R. 615; R. S. Q. c. 4, s. 56; Be. no. 686; M. 84, 96, 578, 583; C. no. 661, 1012-4; Redl. II, 193.

735. — **1.** No member or officer of the house, or shorthand writer employed to take minutes of evidence before the house, or any committee thereof, can, without the special leave of the house, give evidence before the courts in respect of any proceedings or examination had in the house, or in any committee thereof. R. 616 § 1 and n. 2; B. 167, 295; Be. no. 692; M. 583; C. nos. 1002-3; Redl. II, 195; Man. no. 270.

2. No notice shall be required of the motion for leave of the house. R. 616 § 1 n. 1; M. 584.

3. During recesses, leave may be given by the Speaker or, in case of vacancy in the speakership, by the clerk. R. 616 § 2; B. 295; Be. no. 672; M. 584; C. no. 1002; Man. no. 270.

736. — The Speaker may authorize the accountant of the Legislative Assembly to pay to witnesses regularly summoned by the

house, or by any committee thereof, a reasonable allowance for travelling expenses and board. R. 617; B. 561; M. 585; C. no. 1024.

737. — Every claim from a witness for allowance shall state his place of residence, the time during which he has been in attendance before the house, or any committee thereof, the time of necessary travel, and the amount of his travelling expenses and board. It must be accompanied by a certificate either from the clerk of the house or from the chairman of the committee, according as the witness has attended before the house or before a select committee, stating that the witness has been regularly summoned and that his claim is justified. R. 618; B. 561; Be. no. 684; M. 586.

TITLE XV.

COMMUNICATIONS BETWEEN THE CROWN AND THE HOUSE.

CHAPTER I. — ADDRESSES.

738. — The house shall only communicate with the Sovereign and his representatives by address. Camp. 293.

739. — No address can be presented to the Sovereign or his representatives in relation to a matter under the consideration of either house. R. 619 n. 2; B. 378; M. 605; C. no. 900.

740. — Addresses to His Majesty, or to the Governor-General of Canada, or to the Lieutenant-Governor, shall be proposed, except in cases of urgency, on a motion after notice. R. 619.

741. — **1.** No address involving appropriation of public moneys, or imposition of charges upon the people, shall be voted unless previously recommended by the Lieutenant-Governor and adopted in committee of the whole house. R. 620; B. N. A. A. s. 54, 90; R. S. Q. c. 4, s. 40; B. 615; Be. no. 544; M. 517; Man. nos. 218-9, 255; Todd I, 700 n. c.

2. The house may, however, without the recommendation of the Lieutenant-Governor, vote an address to the latter asking for

the expenditure of a particular sum of money and concluding with the assurance that the house will make good the same. R. 620 n. 1; B. 615; M. 517.

742. — Every address, other than an address for returns or papers, shall be engrossed. R. 621.

743. — **1.** Every address shall be signed by the Speaker and the clerk. R. 622 § 1; Bl. Man. 75.

2. An address for accounts and papers may, however, be signed by the clerk or the clerk assistant. R. 622 § 2.

744. — Addresses to His Majesty, or to the Governor-General of Canada, shall be transmitted to the Lieutenant-Governor with an address requesting him to cause the same to be forwarded for presentation. R. 623; B. 381; Bl. Man. 72.

745. — **1.** Addresses to the Lieutenant-Governor may be presented by the whole house, or by such members as are of the Executive Council, or by such members as the house may name for that purpose. R. 624; B. 384-6; M. 602-3; Man. no. 260.

2. An address for accounts and papers shall not, however, be formally presented. Camp. 293.

746. — Addresses to the Lieutenant-Governor shall be presented by such members as are of the Executive Council, unless the house otherwise orders on a motion without notice. R. 625; B. 386; M. 72.

747. — When an address is presented to the Lieutenant-Governor by the whole house, it shall be read by the Speaker. R. 626; B. 385; M. 605; C. no. 902; Redl. II, 247; Bl. Man. 75.

748. — When a joint address is presented to the Lieutenant-Governor by the whole of both houses, it shall be read by the Speaker of the Legislative Council. R. 627; B. 385-6; M. 605; C. no. 901; Redl. II, 247.

749. — The Lieutenant-Governor's answer to any address presented by the whole house, or houses, shall be reported by the Speaker. R. 628 § 1; B. 386; M. 605-6; C. no. 904; Bl. Man. 75.

2. The Lieutenant-Governor's answer to any other address shall be reported by a member being of the Executive Council,

who shall deliver it to the Speaker. R. 628 § 2; B. 386-7; C. no. 904.

3. The laying upon the table of accounts and papers demanded by an address shall be an answer thereto. Camp. 293.

CHAPTER II. — MESSAGES FROM THE LIEUTENANT-GOVERNOR.

750. — 1. Whenever any messenger from the Lieutenant-Governor knocks at the door, the business before the house shall be immediately suspended, and the messenger shall be let in after notice given by the sergeant-at-arms. R. 629 § 1; B. 395; C. nos. 870, 873; Camp. 292-3; Bl. Man. 38.

2. Members shall be uncovered while the message is communicated, and the messenger shall withdraw as soon as it is communicated. R. 629 § 2; B. 387; Be. no. 50; Bl. Man. 39.

751. — A message from the Lieutenant-Governor under his sign manual may be presented to the house by a minister of the Crown. R. 630; M. 596-7; C. no. 877; Redl. II, 245; Camp. 292; Man. no. 257; Bl. Man. 38.

752. — 1. When a written message from the Lieutenant-Governor is delivered to the Speaker, the Speaker shall forthwith proceed to read it to the house, all the members standing and being uncovered. R. 631 § 1; B. 387, 457; Be. no. 50; M. 597; C. no. 877; Redl. II, 245; Camp. 292; Man. 57.

2. Such message shall be inserted in the journal. R. 631 § 2; C. no. 881.

753. — 1. A verbal message from the Lieutenant-Governor may be communicated to the house by a minister of the Crown. R. 632 part; B. 389; M. 597-8; C. no. 883; Camp. 293; Man. no. 258.

2. It shall be entered in the journal. R. 632 part.

754. — 1. The Lieutenant-Governor's recommendation, consent, or pleasure, may be signified to the house by a minister of the Crown. R. 633; B. 389; Be. nos. 568, 571; M. 598-9; C. nos. 885-8; Camp. 292-3; Man. no. 259.

2. They shall be entered in the journal. R. 633 n. 2; M. 506.

755. — 1. The Lieutenant-Governor's recommendation shall be signified before the house, or the committee of the whole house, commences to consider the proposal to be previously recommended by the Lieutenant-Governor. R. 633 n. 1; B. 575; M. 599; C. no. 888; Camp. 232-3, 248-9, 293; Bl. Man. 259.

2. The Lieutenant-Governor's consent shall be signified before the third reading of the bill that cannot be voted without his consent. R. 633 n. 1; B. 576; M. 599; C. no. 888; Camp. 293.

756. — When a minister of the Crown communicates to the house a message from the Lieutenant-Governor, or signifies the Lieutenant-Governor's recommendation, consent or pleasure, he shall do it so as not to interrupt any debate in hand, or any member whilst speaking. R. 634; Bl. Man. 39.

757. — Messages from the Lieutenant-Governor under sign manual shall be acknowledged by addresses, unless they request any pecuniary aid. R. 635; B. 390; M. 601-2; C. nos. 892-3, 895; Redl. II, 246; Camp. 292.

758. — An address to the Lieutenant-Governor shall be adopted in answer to the opening speech. R. 636 § 1; B. 179; M. 603; C. nos. 447, 891; Redl. II, 247; Camp. 83.

759. — 1. Several amendments, and several amendments to any amendment, may be successively proposed on the occasion of the address in answer to the opening speech; but such address can only be amended by adding words. R. 636 § 1 n. 1; Camp. 83; Man. no. 8.

2. Notwithstanding paragraph 1 of rule 273, when the address is moved, it shall be permissible to discuss any matter of public policy coming within the powers of the Legislature and of the government of the Province; but, with the above exception, the discussion shall be subject to the ordinary rules of debate. R. 636 § 1 n. 2; Redl. II, 59.

3. Notwithstanding rule 172, it shall be permissible, upon such motion, to submit any amendments referring to any hereinbefore mentioned matter; but, with the above exception, the amendments shall be subject to ordinary rules relating to amendments. R. 636 § 1 n. 1.

4. The right to amend any amendment shall be subject to ordinary rules respecting amendments to amendments.

5. When any amendment, or amendment to amendment, has been proposed from the chair, the subject thereof only can be debated. R. 636 § 1 n. 3; Be. no. 410.

760. — Before the adoption of an address in answer to the opening speech by the Lieutenant-Governor, committees may be appointed, petitions and bills may be presented, questions may be put and answered, questions of privilege may be considered; but no important matter shall be entered upon, except in case of urgency. R. 636 § 2 and n.; Camp. 83; Bl. Man. 64.

TITLE XVI.

RELATIONS BETWEEN THE TWO HOUSES.

CHAPTER I. — DECLARATORY PROVISIONS.

761. — Communications with the Legislative Council may be by message, or by conference, or by special committees, or by joint committee. R. 637; M. 587; C. no. 804; Redl. II, 82; Camp. 109; Man. no. 255; Bl. Man. 104.

CHAPTER II. — MESSAGES.

762. — It may be moved, at any time and without notice, that any resolution of the house be communicated by message to the Legislative Council. R. 638.

763. — Every message from the house to the Legislative Council shall be in writing, and signed by the Speaker, or by the clerk. R. 639; Redl. II, 82.

764. — Any message from the house may be taken to the Legislative Council by any member of the house to be appointed by the Speaker. R. 640.

765. — Any officer of the house may be the bearer of any message from the house to the Legislative Council, and he shall have authority to deliver such message to the clerk of the Legislative Council at any time. R. 641; B. 394; M. 587-8; Redl. II, 82; Camp. 199.

766. — Any message from the Legislative Council may be received from any officer of the Chancery or the Legislative Council, provided it be in writing, and signed by the Speaker or the clerk of the Legislative Council. R. 642; Redl. II, 82.

767. — Any message from the Legislative Council may be received by the clerk of the house at any time. R. 643; M. 588; Camp. 199.

768. — If a message from the Legislative Council is brought during a sitting by any officer of the Legislative Council, it shall be received at the bar by the sergeant-at-arms, who shall deliver the same to the clerk, without interrupting the business then proceeding. R. 645; B. 395; Be. no. 227; M. 588; Redl. II, 82; Bl. Man. 36.

769. — Every message from the Legislative Council shall be reported by the Speaker as early as convenient and be inserted in the journal. R. 646; B. 395; Be. no. 227; M. 588; C. no. 814; Camp. 199; Bl. Man. 36.

CHAPTER III. — CONFERENCES.

770. — When any conference is desired by the house with the Legislative Council, it shall be requested by message. R. 647; C. no. 823; Redl. II, 82.

771. — The house may request a conference only upon the subject of any bill or matter of which it is at the time in possession. R. 648; B. 398; M. 588; C. no. 822; Redl. II, 82; Bl. Man. 106.

772. — Before a message to request a conference is sent to the Legislative Council, the house shall prepare, and agree to, a statement of the reasons to be given at the same. R. 649; B. 398; C. no. 823.

773. — Every message requesting a conference with the Legislative Council shall state, in general terms, the object for which the conference with the Legislative Council is desired by the house, and the number of managers proposed to serve thereon for the house. R. 650; B. 398; M. 588; C. nos. 824-5; Redl. II, 82; Bl. Man. 106-7.

774. — Every motion for requesting a conference upon a bill may be made without previous notice given thereof. R. 651.

775. — Every motion for requesting a conference shall contain the names of the members to be appointed as managers for the house. R. 652; Bl. Man. 106.

776. — If five members so require, the managers of the house shall be selected in the same manner as the members of a special committee. R. 653; C. no. 829; Bl. Man. 107.

777. — No member who declares or decides against the purpose or opportuneness of a conference can be chosen as manager. R. 654; B. 598; M. 589; C. no. 830.

778. — When the house agrees to a conference with the Legislative Council, such agreement shall be communicated to the Legislative Council by message. R. 655; M. 589; C. no. 827.

779. — The time and place for every conference shall be appointed by the Legislative Council. R. 656; B. 397-8; M. 589; C. no. 826; Redl. II, 83; Bl. Man. 107.

780. — 1. The time for holding a conference being come, the names of the managers shall be called over by the clerk, and the managers shall immediately repair to the conference chamber. R. 657 § 1; B. 398; M. 591; C. nos. 832, 862; Bl. Man. 107.

2. When the managers are gone, the Speaker shall leave the chair, and the sitting shall be suspended until they return. R. 657 § 2; B. 400; M. 591; C. nos. 832, 862; Redl. II, 83; Bl. Man. 107.

781. — At all conferences, it shall be the duty of the managers for the house to read the resolutions or reasons to be communicated by them, and to deliver the same to the managers for the Legislative Council, and to hear and receive from the managers for the Legislative Council the resolutions or reasons communicated by the latter; whereupon, the managers for the house shall be at liberty to confer freely by word of mouth with the managers for the Legislative Council. R. 658; B. 398-400; M. 589-90; C. nos. 836, 839; Redl. II, 83.

782. — 1. It shall be the endeavour of the managers for the house to obtain either a withdrawal, by the managers for the Le-

gislative Council, of the point in dispute, or a settlement of same by way of modification or further amendment. R. 659 part; B. 400; M. 590; C. nos. 839, 844.

2. However, in the case of a bill, no amendment, not being a consequential amendment, shall be proposed by them to any words to which both houses have so far agreed, unless these are immediately affected by the disagreement between the houses. R. 659 part.

783. — 1. The managers for the house shall, when the conference has terminated, report their proceedings to the house forthwith. R. 660; B. 399; M. 590; C. nos. 834, 836-7, 845.

2. The report may be taken into consideration immediately or at a future date, and the house by which the conference has been demanded may either reassert its opinion or concur with the Legislative Council, and send a message accordingly. R. 660 n.; C. no. 851.

CHAPTER IV. — CONFERENCES BETWEEN SPECIAL COMMITTEES.

784. — 1. Any special committee of the house may confer with a special committee of the Legislative Council, if authorized to do so by an order of the house. R. 661 § 1; B. 401; M. 488; C. no. 866; Bl. Man. 179.

2. When any such order has been made, it shall be communicated by message to the Legislative Council with a request that leave may be given to the special committee of the Legislative Council to confer with the special committee of the house. R. 661 § 2; B. 401.

785. — Every special committee of the house directed to confer with any special committee of the Legislative Council may confer freely by word of mouth, unless the house otherwise orders. R. 662.

786. — The proceedings of every conference between a special committee of the house and a special committee of the Legislative Council shall be reported to the house by its own committee. R. 663.

CHAPTER V. — MISCELLANEOUS.

787. — Any member of the Legislative Council deputed for the purpose by the said Council may inspect the journal of the house, at any reasonable time. R. 664.

788. — No member or officer of the house shall appear before the Legislative Council, or any committee thereof, without leave of the house first had. R. 665; B. 395-6; C. nos. 934, 944.

TITLE XVII.
FINANCIAL BUSINESS.

CHAPTER I.—DECLARATORY PROVISIONS.

789. — The right of granting aids and supplies to the Crown, and the limitation of all such grants, as to the matter, manner, measure and time, shall be in this house alone. R. 666; B. 611, 626-7; Be. nos. 563, 575, 577-8; M. 493; C. no. 2027; Redl. III, 115, 119; Man. nos. 220, 251; Todd I, 808, 810; Ans. 282.

790. — **1.** No grant of public moneys can be voted except at the demand of the Crown and on the proposition of a minister of the Crown. R. 667 and n. 3; B. 566-7; M. 493; C. no. 2027; Redl. III, 121; Camp. 232; Man. nos. 220, 244; Todd I, 690; Ans. 283-4.

2. The estimates, before being considered in committee of supply, shall be printed and distributed in the French and English languages. R. 667 n. 4.

CHAPTER II. — PROCEDURE IN FINANCIAL MATTERS.

791. — **1.** In matters of supply and taxation, all legislation shall be initiated in this house alone. R. 668; B. N. A. A. s. 53, 90; R. S. Q., c. 4, s. 39; B. 626; Be. nos. 561, 577; M. 520; Camp. 232; Redl. III, 118; Man. no. 251; Todd I, 806; Ans. 281.

2. When any bill or amendment of the Legislative Council imposes a charge upon the public revenue or upon the people, it may

be laid aside or deferred for six months by the house. Be. no. 585; Man. no. 251.

792. — In matters of supply and taxation, no bill shall be altered or amended by the Legislative Council, except as to its form. R. 669; B. 627; Be. no. 573; M. 564-6; Redl. III, 118; Camp. 255 f.; Man. no. 251; Todd I, 806; Ans. 281-2.

793. — **1.** No proposal directly providing for the appropriation of any public moneys, or the imposition of any new or additional charge upon the people, or the extension of the incidence of an imposition as proposed or as existing upon the people, shall be adopted, unless the purpose thereof has been recommended by the Lieutenant-Governor during the current session. R. 670; B. N. A. A. s. 54, 90; R. S. Q. c. 4, s. 40; B. 575, 602, 639; Be. no. 562; M. 505, 510-1, 544, 707; Redl. III, 121; Camp. 236; Todd I, 692; Ans. 284-5.

2. However, no proposal expressing an abstract opinion respecting the expenditure of public moneys, or the execution of public works, or the imposition of any tax in the general interest, shall need to be recommended by the Lieutenant-Governor. R. 670 n. 4; B. 573; M. 518; Todd I, 411, 700; Ans. 285.

3. It may also be moved, without such recommendation of the Lieutenant-Governor, to substitute another tax for the one as proposed, provided the new tax would not involve an extension of the incidence of the tax as proposed, and the proceeds of such new tax would not be larger than those of the tax as proposed. R. 327 n. 3; M. 511, 544; Bl. Man. 215.

4. When any bill, or any proposed resolution, has for its objects to reduce an existing tax, it may also be proposed, without the recommendation of the Lieutenant-Governor, to diminish such reduction or to postpone the day when such reduction shall take place. Be. no. 556; M. 512.

794. — **1.** Every proposal needing to be previously recommended by the Lieutenant-Governor shall be first adopted in committee of the whole house. R. 671 § 1; B. 638 f.; Be. no. 551; M. 505-6; C. no. 2038; Redl. II, 198, III, 124; Camp. 232; Man. nos. 222-3; Ans. 281, 286.

2. A proposal for the direct purpose of granting public moneys for the service of the current or the next fiscal year shall be adopted

in committee of supply. R. 671 § 2; M. 521; C. no. 2036; Redl. III, 134, 135; Man. no. 233; Ans. 286 f.

3. A proposal for the direct purpose of authorizing grants out of the consolidated fund for the service of the current or the next fiscal year, or for the direct purpose of imposing taxes in order to meet the exigencies of the current or the next fiscal year, shall be adopted in committee of ways and means. R. 671 § 3; B. 581, 602-3; M. 521; C. 2036; Redl. III, 134-5; Ans. 291; Todd I, 791, 815.

CHAPTER III.—VOTING OF GRANTS ON ACCOUNT.

795. — Notwithstanding any rule to the contrary, the voting of grants on account shall be subject to the following special rules:

(1) Whenever an order of the day has been read for the house to resolve itself into the committee of supply, if a minister of the Crown declares that he will move in such committee to vote grants on account, the Speaker shall leave the chair without any question being put; but the committee of supply can then discuss only such a motion;

(2) During a sitting of the committee of supply, any minister of the Crown may, whether the committee has been formed for such a purpose or not, move to vote on account a lump sum representing one or two twelfths of the several items of the estimates previously referred to the committee;

(3) In committee of supply, when such a motion has been proposed, the several items as well as the whole estimates concerned shall be open to discussion; but the discussion of the motion as well as that of all questions raised during the debate must not last altogether more than five hours, i.e. three hours on the part of members of the opposition and two hours on the part of ministers of the Crown or of government members; at the expiration of the time to which the discussion is hereby limited, all questions other than the main motion shall lapse, the Chairman shall put the motion to the vote and, as soon as the committee has come to a decision, he shall make a report to the house, without any question being put to the committee;

(4) Whenever resolutions are reported by the committee of supply providing for grants on account, they shall be forthwith read together, once only, and without debate; then, they shall be

forthwith considered together; but the discussion of such resolutions as well as that of all questions raised during the debate must not last altogether more than two hours, i. e. one hour on the part of members of the opposition and one hour on the part of ministers of the Crown or of government members; at the expiration of the time to which the discussion is hereby limited, all questions other than the main question shall lapse and the Speaker shall put to the vote the motion, "That this resolution (or these resolutions) be now agreed to";

(5) Whenever an order of the day has been read for the house to resolve itself into the committee of ways and means, if a minister of the Crown declares that he will move in such committee to authorize the payment of grants on account as voted to His Majesty, the Speaker shall leave the chair without any question being put;

(6) In committee of ways and means, the discussion of such a motion as well as that of all questions raised during the debate must not last altogether more than two hours, i. e. one hour on the part of members of the opposition and one hour on the part of ministers of the Crown or of government members; at the expiration of the time to which the discussion is hereby limited, all questions other than the main motion shall lapse, the Chairman shall put such motion to the vote and, as soon as the committee has come to a decision, he shall make a report to the house, without any question being put to the committee;

(7) Resolutions to authorize the payment of grants on account shall be read and considered as in the cases above provided for in paragraph (4) of this rule;

(8) The bill based on such resolutions of the committee of ways and means may be read twice or thrice in one sitting;

(9) The motion to bring in such a bill cannot be debated;

(10) It shall not be allowed to move the discharge of any order of the day for the reading of such bill;

(11) The discussion of the motion for the second reading of such bill and that of the motion for the third reading thereof, as well as the discussion of all questions raised during the debate, must not last altogether more than two hours, i.e. one hour on the part of members of the opposition and one hour on the part

of ministers of the Crown or of government members; at the expiration of the time to which the discussion is hereby limited, all questions other than the main motion shall lapse and the Speaker shall put to the vote the motion, "That this bill be now read a second (*or* third) time". R. 671A.

TITLE XVIII.

SERVICE OF THE LEGISLATIVE ASSEMBLY.

CHAPTER I. — OFFICERS AND EMPLOYEES OF THE LEGISLATIVE ASSEMBLY.

796. — Before filling any vacancy in the service of the Legislative Assembly, the Speaker shall ascertain whether it is necessary to continue such office. R. 672; B. 287.

797. — Salaries shall be fixed by the Speaker, subject to the approval of the commission on internal economy of the house. R. 673; B. 287.

798. — The Speaker shall employ such extra employees as the business of the house may require. R. 674.

799. — The hours of attendance of the officers and employees of the Legislative Assembly shall be fixed by the Speaker. R. 675.

800. — It shall be the duty of the officers of the Legislative Assembly, including the clerk and the clerk assistant, to complete the work remaining at the close of any session. R. 676; B. 285; Be. no. 834.

801. — No allowance shall be made to any officer or employee of the Legislative Assembly for travelling expenses in coming to attend his duties. R. 677; B. 287.

CHAPTER II. — LIBRARY AND READING ROOM.

802. — The librarian shall have the custody and responsibility of all books belonging to the library, and keep a proper catalogue thereof. R. 678; B. 297.

803. — The librarian shall, at the opening of each session, present to the house, through the Speaker, a printed report on the actual state of the library with, appended thereto, a catalogue of the books added to the library since the preceding report. R. 679; B. 297.

804. — **1.** The library and the reading room shall be open daily, Sundays and holidays excepted. R. 680 § 1.

2. During the sessions, they shall remain open from the hour of nine in the morning until nine p.m., or until after the adjournment of the house, or of its committees, if such adjournment takes place after nine. R. 680 § 2.

3. During the recess of the Legislature, they shall remain open from the hour of nine in the morning till five in the afternoon, except on Saturdays, when they may be closed at one p.m. R. 680 § 3 mod.

805. — **1.** During the sessions, the Lieutenant-Governor, the members and officers of the two houses, the heads and deputy heads of departments, the bearers of an order of admission from the Speaker of either house, and the persons accompanying any member of the Legislature, shall alone be entitled to resort to the Library and the reading room. R. 681 § 1; B. 297-9.

2. During the recess of the Legislature, other persons may be admitted to the library, at the discretion of the librarian. R. 681 § 2.

806. — No books belonging to the library shall be taken out, except by the authority of the Speaker of either house, or upon a receipt given by any member of the Legislature, or by any head or deputy head of a department. R. 682; B. 298.

807. — During the recess of the Legislature, no member thereof shall be at liberty to borrow or have in his possession, at any one time, more than three works from the library, or to retain any volume for a longer period than one month. R. 683; B. 298.

808. — **1.** No persons who may be privileged by card from the Speaker of either house to borrow books from the library and no head or deputy head of a department shall be allowed to have more than two works at any time, or to retain any volume longer than two weeks. R. 684 § 1.

2. Such persons and officers shall return the books so taken when required by the librarian. R. 684 § 2.

809. — No books of reference, or books of special cost and value, can be taken out of the library under any circumstances. R. 685; B. 298.

810. — All persons admitted to the library or to the reading room shall comply with the internal regulations in force. R. 686.

811. — At the first meeting of the joint committee on the library at every session, the librarian shall report a list of the books absent at the opening of the session, specifying the names of any persons who have retained the same in contravention to the rules and regulations. R. 687; B. 298.

812. — The clerk of the house is authorized to subscribe for such papers as may be directed by the Speaker. R. 685; B. 299.

APPENDIXES

FORM 1

Motion for the election of a temporary Speaker (Rule 24).

That Mr., member for the electoral district of, be elected as Speaker of the house for this day.

FORM 2

Motion for the election of a Chairman of committees of the whole house (Rule 25).

That Mr., member for the electoral district of, be appointed Chairman of committees of the whole house.

FORM 3

Resignation of a member (Rule 58).

To the Honourable the Speaker
of the Legislative Assembly of Quebec.

I hereby resign as member of the Legislative Assembly of Quebec for the electoral district of

Signed at, on the, 19.. .

Before the undersigned, (Signature of resignee)

.....
(Signature of a witness)

.....
(Signature of a witness)

FORM 4

Motion to direct the Speaker to admonish or reprimand (Rule 76).

That Mr. be admonished (or reprimanded) by Mr. Speaker for the breach of privilege (or of order) he has committed.

FORM 5

Motion to censure and temporarily suspend (Rule 76).

That the house do censure Mr., member for, and exclude him from the chamber for the rest of the sitting.

FORM 6

Motion to order a member to attend in his place to answer for his conduct (Rule 77).

That, Mr., member for, having refused to comply with an order given to him by the house on the, he do attend in his place to-morrow to answer for his conduct.

FORM 7

Motion to direct the sergeant-at-arms to take a member into custody (Rule 77).

That Mr., member for, be taken into custody by the sergeant-at-arms.

FORM 8

Motion to have an admonition or reprimand entered in the Journal (Rule 78).

That the admonition (or reprimand) delivered by Mr. Speaker be entered in the journal.

FORM 9

Motion to relieve from punishment (Rule 79).

That Mr., member for, be relieved from the suspension (or prohibition to speak, etc.) pronounced upon him.

FORM 10

Motion to fix a day for the taking into consideration of the opening speech (Rule 89).

That the speech from the throne be taken into consideration at the next sitting.

FORM 11

Motion for holding two sittings every day (Rule 90).

That the house, on and after, do hold two sittings every day, except on Saturdays and Sundays: the first from three to six o'clock in the afternoon, and the second from half past eight to eleven in the evening; and that, at every sitting, the order of business be determined by the provisions of the Standing Orders respecting Tuesdays' sittings.

FORM 12

Motion for holding three sittings every day (Rule 90).

That the house, on and after, do hold three sittings every day, except on Sundays: the first from eleven in the forenoon until one o'clock in the afternoon, the second from three to six o'clock in the afternoon, and the third from half past eight to eleven in the evening; and that, at every sitting, the order of business be determined by the provisions of the Standing Orders respecting Tuesdays' sittings.

FORM 13

Motion to change the opening hour of a sitting (Rule 104).

That, when this house adjourns on the, it do stand adjourned till next, at

FORM 14

Motion for suspension of a sitting (Rule 105).

That the sitting be now suspended till p.m.

FORM 15

Motion to arrange for a special order (Rules 123, 124).

That the order for (the second reading of bill No., intituled "An Act") be taken up before all other business of the day (or at p.m.), at the next sitting.

FORM 16

Motion to have entries corrected in the Votes and Proceedings or the Journal (Rules 133, 135).

That the votes and proceedings (or the journal) of the sitting of the..... be corrected by striking out the words "....." in the line of page (or by inserting the words "....." between the words "....." and ".....", in the line of page; or by adding the words "....." to the..... line of page.....; or by substituting the words "....." for the words ".....", in the.... line of page).

FORM 17

Motion to have entries expunged (Rule 135).

That the entries made in the journal in connection with the motion submitted by Mr....., member for....., on the....., be expunged.

FORM 18

Notice of Motion (Rule 142).

Mr. (Name of the mover).

Motion: That (text of the intended motion).

FORM 19

Motion to amend (Rule 171).

That the motion under debate be amended by striking out the words "....." (or by inserting the words "....." between the words "....." and "....."; or by adding thereto the words "....."; or by substituting the words "....." for the words ".....").

FORM 20

Motion to amend an amendment (Rule 178).

That the amendment under debate be amended by (as in Form 19).

FORM 21

Motion to pass to the business of the day (Rule 204).

That the house do now pass to the business of the day (or That the business of the day be now read).

FORM 22

Motion to pass to the following business of the day (Rule 204).

That the house do now pass to the following business of the day (or That the following business of the day be now read).

FORM 23

Motion to pass to any particular business of the day (Rule 204).

That the house do now pass to the business of the day for the..... (or That the business of the day for..... be now read).

FORM 24

Motion to commit (Rule 206).

That the motion under debate be referred to the committee on.....

FORM 25

Motion for the reading of a paper laid upon the table (Rule 214).

That the paper which has just been laid upon the table be now read.

FORM 26

Motion for leave to lay upon the table a document which one desires to quote (Rule 215).

That I be permitted to lay immediately upon the table a letter addressed to Mr..... by Mr....., on the....., and which I desire to quote.

FORM 27

Motion for suspension of the rules (Rule 217).

That rule . . . of the Standing Orders (or the Standing Orders) be suspended and I be permitted to.....

FORM 28

Motion for declaring a suspension urgent (Rule 219).

That, whereas (state the reasons of the urgent necessity of suspending the rules), this house do declare that it is urgent to suspend the rules and to proceed forthwith to.....

FORM 29

Motion for suspension of the rules in cases of urgent necessity (Rule 219).

That, inasmuch as a declaration of urgency has just been made by the house, the Standing Orders (or rule . . . of the Standing Orders) be suspended and I be permitted to.....

FORM 30

Motion to divide a complicated question (Rule 231).

That the question under debate be divided into two propositions, one of them to read as follows: "That a special committee of nine be composed to examine", and the other one, as follows: "That such committee be composed of Messrs.....".

FORM 31

Motion to rescind a resolution (Rule 236).

That the resolution passed on the..... and reading as follows: "That", be rescinded.

FORM 32

Motion to discharge an order (Rule 237).

That the order which has just been read (or That the order voted on the..... and reading as follows: "That.....") be discharged.

FORM 33

Motion to revive a superseded order of the day (Rule 238).

That the order for....., which was superseded on the....., be revived and placed upon the agenda paper of the next sitting.

FORM 34

Motion to have unparliamentary words taken down (Rule 289).

That the words ".....", which have just been used by Mr....., member for....., be taken down by the clerk.

FORM 35

Motion to decide whether words taken down have been used (Rule 289).

That the house is of opinion that the words taken down by the clerk and read by the speaker have been used by Mr....., member for the electoral district of.....

FORM 36

Motion to reject the vote of an interested member (Rule 310).

That the vote of Mr....., member for....., in favour of the motion..... be rejected and the votes and proceedings corrected accordingly.

FORM 37

Motion for the house to resolve itself into committee to consider a certain resolution (Rule 315).

That the house, at its next sitting, will resolve itself into a committee to consider a proposed resolution respecting.....

FORM 38

Motion to amend a bill (Rule 337).

That section 1 of the bill be amended by substituting the word ".....", in the line, for the word "....." (or by striking out the words "....." in the line; or by adding the following paragraph "....."; or by inserting, between the words "....." and the words ".....", in the line, the words ".....").

FORM 39

Motion for referring a bill back to a committee (Rule 367).

That bill No..... be referred back to the Committee on..... for further consideration of such bill (or of section of such bill).

FORM 40

Motion for referring a bill back to a committee with instruction (Rule 367).

That bill No..... be referred back to the Committee on....., with instruction to amend it in such a way that.....

FORM 41

Motion for the house to resolve itself into committee of supply (Rule 372).

That the house, at its next sitting, do resolve itself into a committee to consider the supply to be granted to His Majesty.

FORM 42

Motion for the house to resolve itself into committee of ways and means (Rule 372).

That the house, at its next sitting, do resolve itself into a committee to consider the ways and means for raising the supply to be granted to His Majesty.

FORM 43

Amendment to the motion for going into committee of supply or of ways and means (Rule 377).

That the motion under debate be amended by replacing therein all the words after "That" by the following:

"the house, while being ready to grant to His Majesty the monies requested, regrets (or is of opinion) that....."

FORM 44

Motion to appoint a special committee (Rule 388).

That a special committee to be composed of fifteen members be appointed to inquire into....., with power to sit on days when the house is not sitting, to sit with closed doors, to require the attendance of all persons or the production of all papers and records, to use stenographers, to have the evidence printed, and to hear counsels on behalf of such persons whose conduct, character, or interests, may be called in question.

That the said special committee be composed of Messrs.....

FORM 45

Convening of members of a special committee (Rule 410).

The Special Committee on..... will meet to-morrow, on the.....
19... at A.M., in committee room No.

By order of the Chairman:

.....
Clerk.

FORM 46

Motion to reconsider (Rule 434).

That the committee do reconsider the preamble (or section...) of the bill under examination.

FORM 47

Motion for concurrence in the report of a special committee (Rule 458).

That the house do concur in the report of the special committee.

FORM 48

Motion to appoint standing committees (Rules 462).

That the following standing committees be appointed, viz.:

- (1) A committee on privileges and elections;
- (2) A committee on standing orders;
- (3) A committee on public accounts;
- (4) A committee on railways and other means of communication;
- (5) A committee on agriculture, immigration and colonization;
- (6) A committee on industries and trade;
- (7) A committee on municipal code;
- (8) A committee on private bills in general;
- (9) A committee on public bills in general;
- (10) A committee on the library of the Legislature;
- (11) A committee on legislative printings;

and that such committees be severally empowered to examine and enquire into all such matters and things as may be referred to them by the house or as may be under their jurisdiction, to report, from time to time, their observations and opinions thereon, and to send for such persons, papers and records as they may need.

FORM 49

Motion to appoint a special committee to organize the standing committees (Rule 463).

That a special committee of eleven members be appointed to select the members and the chairman of each standing committee ordered by the house, and also to fix the number of the members as well as the quorum of such standing committee.

That the Honourable Messrs..... and Messrs..... do compose the said special committee.

FORM 50

Motions to appoint a joint committee (Rule 469).

That a committee to be composed of members of both houses be appointed to examine and report upon.....; that Messrs..... be members of such committee on the part of this house; that..... be a quorum of such members; and that they be empowered to.....

That a message be sent to the Legislative Council, requesting them to unite with this house in the appointment of a joint committee to examine and report upon....., and informing them that this house has selected (five) of its members to act on the said proposed committee, namely Messrs.....

That the clerk do carry the said message to the Legislative Council.

FORM 51

Motion to concur in the appointment of a joint committee (Rule 469).

That a message be sent to the Legislative Council, informing them that this house agrees to concur in the appointment of a joint committee to examine and report upon....., and that Messrs..... will act as members of such committee on the part of this house.

That the clerk do carry the said message to the Legislative Council.

FORM 52

Motion for the constitution of the joint committee on the library (Rule 469).

That a message be sent to the Legislative Council to acquaint them that the Honourable Messrs..... and Messrs..... will compose the standing committee on the library of the Legislature in so far as the interests of the Legislative Assembly are concerned and also will act on behalf of this house as members of the joint committee for the administration of the library.

That the clerk do carry this message to the Legislative Council.

FORM 53

Motion for the constitution of a joint committee on legislative printings (Rule 469).

That a message be sent to the Legislative Council requesting them to unite with this house in the constitution of a joint committee to superintend the legislative printings during the current session, and that the Honourable Messrs..... and Messrs..... will act on the part of this house as members on the said joint committee.

That the clerk do carry this message to the Legislative Council.

FORM 54

Motion for an instruction to a committee to consolidate two bills (Rule 475).

That it be an instruction to the committee..... that they have power to consolidate bill No. intituled: "An Act to.....", and bill No., entitled: "An Act to.....", into one.

FORM 55

Motion for an instruction to a committee to divide one bill (Rule 484).

That it be an instruction to the committee..... appointed to consider bill No., intituled "An Act.....", that they have power to divide such bill into two, one providing for..... and the other for.....

FORM 56

Petition (Rules 492).

To the Honourable
The Legislative Assembly
of the Province of Quebec,
In Parliament Assembled.

The petition of the undersigned, (*here mention the surnames, name, domicile and occupation of the petitioner*),

Humbly sheweth:

That (*here state the facts upon which the petitioner asks the interference of the Legislature*).

Wherefore your petitioner humbly prays that your Honourable house may be pleased to (*here mention the objects of the petition in general terms*).

And your petitioner, as in duty bound, will ever pray.

(*Here write the signature.*)

(*Here affix the seal, if the petitioner is a corporation.*)

FORM 57

Motion for the taking into consideration of a petition (Rule 522).

That the petition of Mr., which has just been presented, be immediately taken into consideration.

FORM 58

Motion for leave to introduce a bill (Rule 540).

That I have leave, seconded by Mr., to bring in a bill intituled :
"An Act."

FORM 59

Amendment to the motion for leave to introduce a bill (Rule 544).

That the motion under debate be amended by replacing all the words after the words "An Act", therein, by the following: ".".

FORM 60

Amendment on the motion for second or third reading of a bill (Rules 558, 573).

That the motion under debate be amended by replacing all the words after "That", therein, by the following:
"this house is of opinion that.".

FORM 61

Motion to place again a bill on the agenda paper (Rule 563).

That bill No., intituled "An Act.", be placed again on the agenda paper for consideration in committee of the whole.

FORM 62

Amendment to the motion for third reading and recommitting a bill (Rule 573).

That the motion under debate be amended by replacing all the words after "be", therein, by the following: "referred back to the committee of the whole (or to the committee on bills), with instruction to amend it so that.".

FORM 63

Motion to amend the title of a bill (Rule 574).

That the title of the bill be amended by adding thereto the following words: "." (or by replacing the words ".", therein, by the following: ".").

FORM 64

Motion for concurrence in amendments made by the Legislative Council (Rule 580).

That the amendments be concurred in.

That the clerk do carry this message to the Legislative Council.

FORM 65

Motion for agreeing with amendments to amendments made by the Legislative Council (Rule 580).

That a message be sent to the Legislative Council to acquaint them that the house agrees to the amendments made by them to bill No., intituled "An Act.", but with the following amendments:

1. Paragraph 1 of the Council's amendments is amended by substituting, in the line, the word "." for the word ".".

2. Paragraph 2 of the said amendments is struck out.

3. Paragraph 3 of the said amendments is amended by adding thereto the following indented paragraph: "."

4. The following paragraphs are added to the said amendments:

"8. The following paragraph is added to section 10 of the bill: "."

"9. Section 11 of the bill is struck out."

That the Clerk so carry this message to the Legislative Council.

FORM 66

Motion for disagreeing to amendments made by the Legislative Council (Rule, 584, 592)

That a message be sent to the Legislative Council to acquaint them that this house disagrees to their amendments made to bill No., intituled, "An Act", and this for the following reasons:

Because the said amendments are not relevant to the subject of the bill.

(or) Because the said amendments infringe the exclusive privilege enjoyed by the Legislative Assembly of initiating every legislation concerning the prerogatives of the Crown (or financial matters).

(or) Because the said amendments would have the effect to make the proposed law inefficient, since they remove the only coercitive weapon capable of securing the enforcement thereof.

(or) Because the said amendments lay upon the corporation onerous obligations which its financial position does not allow it to assume at the moment.

That the clerk do carry this message to the Legislative Council.

FORM 67

Motion for the laying aside of a bill (Rules 585, 586, 587, 588).

That bill No., intituled "An Act.", be laid aside.

FORM 68

Motion to insist on amendments made by the house (Rule 586, 592).

That a message be sent to the Legislative Council to acquaint them that the house insists on its amendments made to bill No., intituled "An Act." (or to the Legislative Council's amendments to bill No., intituled "An Act."), and this for the following reasons:

Because the amendments of this house are required to make the proposed law applicable to all the cases provided for therein.

(or) Because the amendments made by this house are required to enable the corporation to execute the works which it shall be bound to make under the proposed law (or under the provisions of amendment 2 made by the Legislative Council).

That the clerk do carry this message to the Legislative Council.

FORM 69

Motion to propose new amendments as alternative to amendments disagreed to by the Legislative Council (Rule 586).

That a message be sent to the Legislative Council to acquaint them that this house proposes as alternative to the amendments made to the amendments of the Legislative Council to bill No., intituled "An Act", the following amendments which this house is willing to substitute to the first ones:

1.
2.

(Etc.)

That the clerk do carry this message to the Legislative Council.

FORM 70

Motion to withdraw amendments to the amendments made by the Legislative Council (Rule 586).

That a message be sent to the Legislative Council to acquaint them that this house withdraws its amendments to the amendments made by the Legislative Council to bill No., intituled "An Act", and that it accepts the said amendments made by the Legislative Council.

That the clerk do carry this message to the Legislative Council.

FORM 71

Motion to request the reconsideration of a bill by the Legislative Council (Rule 591).

That a message be sent to the Legislative Council requesting the reconsideration of Bill No., intituled "An Act".

That the clerk do carry this message to the Legislative Council.

FORM 72

Petition for the introduction of a private bill (Rule 614).

To the Honourable
The Legislative Assembly
of the Province of Quebec,
In Parliament Assembled.

The petitioner of the undersigned, (*here mention the surnames, name, domicile and occupation of the petitioner*),

Humbly sheweth:

That (*here state the facts upon which the petitioner asks the interference of the Legislature*).

Wherefore your petitioner humbly prays that your Honourable House may be pleased to pass an Act (*here mention the objects of the bill in general terms*).

And your petitioner, as in duty bound, will ever pray.

(*Here write the signature.*)

Here affix the seal, if the petitioner is a corporation.)

FORM 73

Notice of amendments to a private bill (Rule 64§).

Mr. (name of the proposer).

Amendments to bill No., intituled "An Act.":

That section 1 be amended by inserting the words " " between the words " " and " ", in the second line.

That section 1 be amended by striking out the second paragraph thereof.

That section 2 be amended by substituting the words " " for the words " ", in the third and fourth lines.

That section 4 be amended by adding the following paragraph thereto: " "

FORM 74

Motions for the refunding of fees paid (Rule 658).

That, inasmuch as bill No., intituled "An Act.", has been withdrawn (or has been rejected by the Legislative Council or has for its object the advancement of education generally, or the extension of religious worship or the development of a public and charitable undertaking, etc.), the ordinary fees paid by the promoters of the said bill be refunded, less the cost of printing and translation.

(or) That, inasmuch as it has been impossible for the promoters of bill No., intituled "An Act.", to deposit such bill in the delay required, the additional fees paid by them be refunded.

FORM 75

Notice of question (Rule 681).

Mr. (name of the questioner).

Question: (Text of the intended question.)

FORM 76

Motions for returns (Rule 690).

That there be laid before the house a copy of

(or) That an humble address be presented to the Honourable the Lieutenant-Governor, praying him to cause to be laid before the house a copy of

FORM 77

Motion for the taking into consideration of a document laid on the table (Rule 700).

That the account (or paper) just laid upon the table be taken into consideration at the next sitting of this house.

FORM 78

Motion for the printing of a document (Rule 704).

That document No., which has been laid upon the table on the, 19. . . be printed forthwith.

FORM 79

Motion for an order to a witness to attend (Rule 711).

That Mr. do attend as a witness before the committee. on the., 19. ., at eleven A.M., in the committee room No., in the Parliament Buildings of Quebec, and bring with him the books (*give a specific description*).

FORM 80

Motion for hearing the evidence of a member or officer of the Legislative Council (Rule 715).

That a message be sent to the Legislative Council requesting them to give leave to the Honourable Mr., one of their members (*or to Mr., one of their officers*), to attend and give evidence before this house (*or the committee on.*) on (*state the matters in relation to which they are desired to be examined*).

That the clerk do carry this message to the Legislative Council.

FORM 81

Motion to direct the Speaker to admonish a witness refusing to answer a question (Rule 719).

That the witness Mr. be admonished by Mr. Speaker and be ordered to answer the question put to him.

FORM 82

Motion to commit a witness refusing to answer a question (Rule 719).

That the witness Mr. be committed until he expresses his willingness to answer the question put to him.

FORM 83

Motion to order a question to be put to a witness (Rule 730).

That the following question be put to the witness by Mr. Speaker, to wit: ".....?"

FORM 84

Motion for an address in reply to an opening speech (Rule 753).

That an humble address be presented to the Honourable the Lieutenant-Governor as follows, to wit:

To the Honourable
The Lieutenant-Governor
of the Province of Quebec.

We, the members of the Legislative Assembly of Quebec, in session assembled, beg you to kindly accept, with the assurance of our loyalty to His Majesty, our humble thanks for the speech you have been pleased to deliver, informing us of the reasons for calling the houses.

FORM 85

Amendment to an address in reply to a speech from the Throne (Rule 759).

That the motion under debate be amended by adding thereto the following words:

"We respectfully submit to you that.....".

FORM 86

Motions to request a conference (Rule 770).

That a message be sent to the Legislative Council, informing them that this house requests the Legislative Council to confer with them with the object of and that the managers to serve on the conference for this house will be in number, namely: Messrs.

That the clerk do carry this message to the Legislative Council.

FORM 87

Motion to accept to confer with the Legislative Council (Rule 775).

That a message be sent to the Legislative Council to acquaint them that this house agrees to a conference with the Legislative Council with respect to and that the managers to serve on said conference for this house will be Messrs.

That the clerk do carry this message to the Legislative Council.

FORM 88

Motion for referring the estimates to the committee of supply (Rule 790).

That the message of the Honourable the Lieutenant-Governor together with the estimates accompanying the same be referred to the committee of supply.

FORM 89

Resolution for making good the supplies (Rule 795).

That, towards making good the supplies granted to His Majesty for the expenditure of the fiscal year ending on the 31st March, 19 . . . , the sum (or, if grants on accounts have been voted, an additional sum) of \$. be granted out of the Consolidated Revenue Fund of the Province.

TARIFF OF FEES

For incorporation of joint stock companies by letters patent, etc. (Extract.)

1. When the capital is \$20,000, or less than \$20,000, the fee shall be \$40.00.
2. When the capital is more than \$20,000, and less than \$50,000, the fee shall be \$75.00.
3. When the capital is \$50,000 or more, and less than \$100,000, the fee shall be \$100.00.

4. When the capital is \$100,000 or more, and less than \$150,000, the fee shall be \$150.00.
 5. When the capital is \$150,000 or more, and less than \$200,000, the fee shall be \$200.00.
 6. When the capital is \$200,000 or more, and less than \$300,000, the fee shall be \$250.00.
 7. When the capital is \$300,000 or more, and less than \$400,000, the fee shall be \$300.00.
 8. When the capital is \$400,000 or more, and less than \$500,000, the fee shall be \$350.00.
 9. When the capital is \$500,000 or more, and less than \$600,000, the fee shall be \$375.00.
 10. When the capital is \$600,000 or more, and less than \$700,000, the fee shall be \$400.00.
 11. When the capital is \$700,000 or more, and less than \$800,000, the fee shall be \$425.00.
 12. When the capital is \$800,000 or more, and less than \$900,000, the fee shall be \$450.00.
 13. When the capital is \$900,000 or more, and less than \$1,000,000 the fee shall be \$475.00.
 14. When the capital is \$1,000,000, the fee shall be \$500.00.
 15. For every million dollars of additional capital, or fraction thereof, the fee shall be \$100.00.
 16. Upon every application for supplementary letters patent increasing or reducing the capital, the fee shall be calculated on the actual amount of the increase or reduction in question, and the fee payable shall be the same as that payable on letters patent for the incorporation of a company whose capital is of the same amount as the proposed increase or reduction.
In the case of an alteration in the value of shares, the fee shall be \$25.00 (arts. 46, 54 and 55 R. S. Q., 1925).
 17. Upon every application for supplementary letters patent, other than those for the increase or reduction of capital, or for an alteration in the value of shares, the fee shall be 20% of the amount of the fee for the original incorporation.
 18. Upon every application by a subsisting and valid corporation for letters patent to carry on its business under the "Quebec Companies' Act", the fee shall be 50% of the fee paid at the date of incorporation of the said company, if the application covers only the powers mentioned in article 14 of the Quebec Companies' Act or in articles 15 and 16 of the same act.
 19. Upon every application for letters patent confirming an agreement for the amalgamation of companies, the fee shall be 50% of the fee payable for letters patent incorporating a company with a capital equal to the total capital of the companies applying for amalgamation (14, Chap. 223, R. S. Q., 1925).
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THE CONSTITUTION OF 1867

AND

THE STATUTE OF WESTMINSTER.



THE BRITISH NORTH AMERICA ACT, 1867.

(30-31 VICTORIA. CHAP. 3)

An Act for the union of Canada, Nova Scotia, and New Brunswick, and the government thereof; and for purposes connected therewith.—(*Assented to on the 29th March, 1867.*)

Whereas the Provinces of Canada, Nova Scotia, and New Brunswick have expressed their desire to be federally united into one Dominion under the Crown of the United Kingdom of Great Britain and Ireland, with a constitution similar in principle to that of the United Kingdom:

And whereas such a union would conduce to the welfare of the Provinces and promote the interests of the British Empire:

And whereas on the establishment of the union by authority of Parliament it is expedient, not only that the constitution of the legislative authority in the Dominion be provided for, but also that the nature of the Executive Government therein be declared:

And whereas it is expedient that provision be made for the eventual admission into the union of other parts of British North America:

Be it therefore enacted and declared by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

I. — PRELIMINARY.

1. This act may be cited as "The British North America Act, 1867".

2. The provisions of this act referring to Her Majesty the Queen extend also to the Heirs and Successors of Her Majesty, Kings and Queens of the United Kingdom of Great Britain and Ireland.

II. — UNION.

3. It shall be lawful for the Queen, by and with the advice of Her Majesty's Most Honourable Privy Council, to declare by proclamation that, on and after a day therein appointed, not being more than six months after the passing of this act, the Provinces of Canada, Nova Scotia and New Brunswick shall form and be one Dominion under the name of Canada; and on and after that day those three Provinces shall form and be one Dominion under that name accordingly.

4. The subsequent provisions of this act shall, unless it is otherwise expressed or implied, commence and have effect on and after the Union, that is to say, on and after the day appointed for the Union taking effect in the Queen's proclamation; and in the same provisions, unless it is otherwise expressed or implied, the name Canada shall be taken to mean Canada as constituted under this act.

5. Canada shall be divided into four Provinces, named Ontario, Quebec, Nova Scotia, and New Brunswick.

6. The parts of the Province of Canada (as it exists at the passing of this act) which formerly constituted respectively the Provinces of Upper Canada and Lower Canada shall be deemed to be severed, and shall form two separate Provinces. The part which formerly constituted the Province of Upper Canada shall constitute the Province of Ontario; and the part which formerly constituted the Province of Lower Canada shall constitute the Province of Quebec (1).

7. The Provinces of Nova Scotia and New Brunswick shall have the same limits as at the passing of this act.

8. In the general census of the population of Canada, which is hereby required to be taken in the year one thousand eight hundred and seventy-one and in every tenth year thereafter, the respective populations of the four Provinces shall be distinguished.

III. — EXECUTIVE POWER.

9. The executive government and authority of and over Canada is hereby declared to continue and be vested in the Queen.

10. The provisions of this act referring to the Governor-General extend and apply to the Governor-General for the time being of Canada, or other the chief executive officer or administrator for the time being carrying on the government of Canada on behalf and in the name of the Queen, by whatever title he is designated.

11. There shall be a council to aid and advise in the government of Canada, to be styled the Queen's Privy Council for Canada; and the persons who are to be members of that council shall be from time to time chosen and summoned by the Governor-General and sworn in as privy councillors, and members thereof may be from time to time removed by the Governor-General.

12. All powers, authorities and functions, which under any act of the Parliament of Great Britain, or of the Parliament of the United Kingdom of Great Britain and Ireland, or of the Legislature of Upper Canada, Lower Canada, Canada, Nova Scotia or New Brunswick, are at the Union vested in or exercisable by the respective governors or lieutenant-governors of those Provinces, with the advice, or with the advice and consent, of the respective executive councils thereof, or in conjunction with those councils, or with any number of members thereof, or by those governors or lieutenant-governors individually, shall, as far as the same continue in existence and capable of being exercised after the Union in relation to the government of Canada, be vested in and exercisable by the Governor-General, with the advice or with the advice and consent of or in conjunction with the Queen's Privy Council for Canada, or any members thereof, or by the Government General individually, as the case requires, subject nevertheless (except with respect to such as exist under acts of the Parliament of Great Britain or of the Parliament of the United Kingdom of Great Britain and Ireland) to be abolished or altered by the Parliament of Canada.

(1) As to the present limits of Quebec, cf. R.S.Q., c. 3, div. II and III.

13. The provisions of this act referring to the Governor-General in Council shall be constructed as referring to the Governor-General acting by and with the advice of the Queen's Privy Council for Canada.

14. It shall be lawful for the Queen, if Her Majesty thinks fit, to authorize the Governor-General from time to time to appoint any person or any persons jointly or severally to be his deputy or deputies within any part or parts of Canada, and in that capacity to exercise during the pleasure of the Governor-General such of the powers, authorities and functions of the Governor-General as the Governor-General deems it necessary or expedient to assign to him or them, subject to any limitations or directions expressed or given by the Queen; but the appointment of such a deputy or deputies, shall not affect the exercise by the Governor-General himself of any power, authority or function.

15. The command-in-chief of the land and naval militia, and of all naval military forces, of and in Canada, is hereby declared to continue and be vested in the Queen.

16. Until the Queen otherwise directs, the seat of government of Canada shall be Ottawa.

IV. — LEGISLATIVE POWER.

17. There shall be one Parliament for Canada, consisting of the Queen, an Upper House styled the Senate, and the House of Commons.

18. The privileges, immunities, and powers to be held, enjoyed and exercised by the Senate and by the House of Commons, and by the members thereof respectively, shall be such as are from time to time defined by act of the Parliament of Canada, but so that the same shall never exceed those at the passing of this act held, enjoyed and exercised by the Commons House of Parliament of the United Kingdom of Great Britain and Ireland, and by the members thereof (1).

19. The Parliament of Canada shall be called together not later than six months after the Union.

20. There shall be a session of the Parliament of Canada once at least in every year, so that twelve months shall not intervene between the last sitting of the parliament in one session and its first sitting in the next session.

THE SENATE

21. The Senate shall, subject to the provisions of this act, consist of seventy-two members, who shall be styled Senators.

22. In relation to the constitution of the Senate, Canada shall be deemed to consist of three divisions —

1. Ontario;
2. Quebec;

(1) This section was replaced, under the Imperial Statute 38-39 Victoria, c. 38, by another one, whose effect is to substitute the following restriction for the one established at the end of section 18: "but so that any Act of the Parliament of Canada defining such privileges, immunities, and powers shall not confer any privileges, immunities, or powers exceeding those at the passing of such Act held, enjoyed, and exercised by the Commons House of Parliament of the United Kingdom of Great Britain and Ireland, and by the Members thereof."

3. The Maritime Provinces, Nova Scotia and New Brunswick; which three divisions shall (subject to the provisions of this act) be equally represented in the Senate as follows: Ontario by twenty-four Senators; Quebec by twenty-four Senators; and the Maritime Provinces by twenty-four Senators, twelve thereof representing Nova Scotia, and twelve thereof representing New Brunswick.

In the case of Quebec each of the twenty-four Senators representing that Province shall be appointed for one of the twenty-four electoral divisions of Lower Canada specified in schedule A to chapter one of the Consolidated Statutes of Canada (1).

23. The qualification of a Senator shall be as follows:—

(1.) He shall be of the full age of thirty years:

(2.) He shall be either a natural-born subject of the Queen, or a subject of the Queen naturalized by an act of the Parliament of Great Britain, or of the Parliament of the United Kingdom of Great Britain and Ireland, or of the Legislature of one of the Provinces of Upper Canada, Lower Canada, Canada, Nova Scotia, or New Brunswick, before the Union or of the Parliament of Canada after the Union:

(3.) He shall be legally or equitably seised as of freehold for his own use and benefit of lands or tenements held in free and common soccage, or seised or possessed for his own use and benefit of lands or tenements held in franc-alieu or in roture, *within the Province for which he is appointed, of the value of four thousand dollars, over and above all rents, dues, debts, charges, mortgages and incumbrances due or payable out of, or charged on or affecting the same:*

(4.) His real and personal property shall be together worth four thousand dollars over and above his debts and liabilities:

(5.) He shall be resident in the Province for which he is appointed:

(6.) In the case of Quebec, he shall have his real property qualification in the electoral division for which he is appointed, or shall be resident in that division.

24. The Governor-General shall from time to time, in the Queen's name, by instrument under the Great Seal of Canada, summon qualified persons to the Senate; and, subject to the provisions of this act, every person so summoned shall become and be a member of the Senate and a Senator.

25. Such persons shall be first summoned to the Senate as the Queen by warrant under Her Majesty's royal sign manual thinks fit to approve, and their names shall be inserted in the Queen's proclamation of Union.

26. If at any time, on the recommendation of the Governor-General, the Queen thinks fit to direct that three or six members be added to the Senate, the Governor-General may, by summons to three or six qualified persons (as the case may be), representing equally the three divisions of Canada, add to the Senate accordingly.

27. In case of such addition being at any time made, the Governor-General shall not summon any person to the Senate, except on a further like direction by the Queen on the like recommendation, until each of the three divisions of Canada is represented by twenty-four senators, and no more.

28. The number of Senators shall not at any time exceed seventy-eight.

(1) As to the present constitution of the Senate, cf. the Imperial Statute 5-6 George V, c. 45.

29. A Senator shall, subject to the provisions of this act, hold his place in the Senate for life.

30. A Senator may, by writing under his hand, addressed to the Governor-General, resign his place in the Senate, and thereupon the same shall be vacant.

31. The place of a Senator shall become vacant in any of the following cases:

(1.) If for two consecutive sessions of the Parliament he fails to give his attendance in the Senate:

(2.) If he takes an oath or makes a declaration or acknowledgment of allegiance, obedience or adherence to a foreign power, or does an act whereby he becomes a subject or citizen, or entitled to the rights or privileges of a subject or citizen, of a foreign power:

(3.) If he is adjudged bankrupt, or insolvent, or applies for the benefit of any law relating to insolvent debtors, or becomes a public defaulter:

(4.) If he is attainted of treason, or convicted of felony or of any infamous crime:

(5.) If he ceases to be qualified in respect of property or of residence; provided, that a Senator shall not be deemed to have ceased to be qualified in respect of residence by reason only of his residing at the seat of the government of Canada while holding an office under that government requiring his presence there.

32. When a vacancy happens in the Senate, by resignation, death, or otherwise, the Governor-General shall, by summons to a fit and qualified person, fill the vacancy.

33. If any question arises respecting the qualification of a Senator or a vacancy in the Senate, the same shall be heard and determined by the Senate.

34. The Governor-General may from time to time, by instrument under the Great Seal of Canada, appoint a Senator to be Speaker of the Senate, and may remove him and appoint another in his stead.

35. Until the Parliament of Canada otherwise provides, the presence of at least fifteen Senators, including the Speaker, shall be necessary to constitute a meeting of the Senate for the exercise of its powers.

36. Questions arising in the Senate shall be decided by a majority of voices, and the Speaker shall in all cases have a vote, and when the voices are equal the decision shall be deemed to be in the negative.

THE HOUSE OF COMMONS.

37. The House of Commons shall, subject to the provisions of this act, consist of one hundred and eighty-one members, of whom eighty-two shall be elected for Ontario, sixty-five for Quebec, nineteen for Nova-Scotia, and fifteen for New Brunswick.

38. The Governor-General shall from time to time, in the Queen's name, by instrument under the Great Seal of Canada, summon and call together the House of Commons.

39. A Senator shall not be capable of being elected or of sitting or voting as a member of the House of Commons.

40. Until the Parliament of Canada otherwise provides, Ontario, Quebec, Nova Scotia and New Brunswick shall, for the purposes of the election of members to serve in the House of Commons, be divided into electoral districts as follows:—

1. — *Ontario.*

Ontario shall be divided into the counties, ridings of counties, cities, parts of cities, and towns enumerated in the first schedule to this act, each whereof shall be an electoral district, each such district as numbered in that schedule being entitled to return one member.

2. — *Quebec.*

Quebec shall be divided into sixty-five electoral districts, composed of the sixty-five electoral divisions into which Lower Canada is at the passing of this act divided under chapter two of the Consolidated Statutes of Canada, chapter seventy-five of the Consolidated Statutes for Lower Canada, and the Act of the Province of Canada of the twenty-third year of the Queen, chapter one, or any other act amending the same in force at the Union, so that each such electoral division shall be for the purposes of this act an electoral district entitled to return one member.

3. — *Nova Scotia.*

Each of the eighteen counties of Nova Scotia shall be an electoral district. The county of Halifax shall be entitled to return two members, and each of the other counties one member.

4. — *New Brunswick.*

Each of the fourteen counties into which New Brunswick is divided, including the city and county of St. John, shall be an electoral district. The city of St. John shall also be a separate electoral district. Each of those fifteen electoral districts shall be entitled to return one member.

41. Until the Parliament of Canada otherwise provides, all laws in force in the several Provinces at the union relative to the following matters or any of them, namely, — the qualifications and disqualifications of persons to be elected or to sit or vote as members of the House of Assembly or Legislative Assembly in the several Provinces, the voters at elections of such members, the oaths to be taken by voters, the returning officers, their powers and duties, the proceedings at elections, the periods during which elections may be continued, the trial of controverted elections, and proceedings incident thereto, the vacating of seats of members, and the execution of new writs in case of seats vacated otherwise than by dissolution, — shall respectively apply to elections of members to serve in the House of Commons for the same several Provinces.

Provided that, until the Parliament of Canada otherwise provides, at any election for a member of the House of Commons for the district of Algoma, in addition to persons qualified by the law of the Province of Canada to vote, every male British subject, aged twenty-one years or upwards, being a householder, shall have a vote.

42. For the first election of members to serve in the House of Commons the Governor-General shall cause writs to be issued by such person, in such form and addressed to such returning officers as he thinks fit.

The person issuing writs under this section shall have the like powers as are possessed at the union by the officers charged with the issuing of writs for the election of members to serve in the respective House of Assembly or Legislative Assembly of the Province of Canada, Nova Scotia or New Brunswick; and the returning officers to whom writs are directed under this section shall have the like powers as are possessed at the union by the officers charged with the returning of writs for the election of members to serve in the same respective House of Assembly or Legislative Assembly.

43. In case a vacancy in the representation in the House of Commons of any electoral district happens before the meeting of the Parliament, or after the meeting of the Parliament before provision is made by the Parliament in this behalf, the provisions of the last foregoing section of this act shall extend and apply to the issuing and returning of a writ in respect of such vacant district.

44. The house of Commons, on its first assembling after a general election, shall proceed with all practicable speed to elect one of its members to be Speaker.

45. In case of a vacancy happening in the office of Speaker, by death, resignation or otherwise, the House of Commons shall, with all practicable speed, proceed to elect another of its members to be Speaker.

46. The Speaker shall preside at all meetings of the House of Commons.

47. Until the Parliament of Canada otherwise provides, in case of the absence, for any reason, of the Speaker from the chair of the House of Commons for a period of forty-eight consecutive hours, the House may elect another of its members to act as Speaker, and the member so elected shall, during continuance of such absence of the Speaker, have and execute all the powers, privileges and duties of Speaker.

48. The presence of at least twenty members of the House of Commons shall be necessary to constitute a meeting of the House for the exercise of its powers; and for that purpose the Speaker shall be reckoned as a member.

49. Questions arising in the House of Commons shall be decided by a majority of voices other than that of the Speaker, and when the voices are equal, but not otherwise, the Speaker shall have a vote.

50. Every House of Commons shall continue for five years from the day of the return of the writs for choosing the House (subject to be sooner dissolved by the Governor-General), and no longer.

51. On the completion of the census in the year one thousand eight hundred and seventy-one, and of each subsequent decennial census, the representation of the four Provinces shall be re-adjusted by such authority, in such manner, and from such time as the Parliament of Canada from time to time provides, subject and according to the following rules:

(1.) Quebec shall have the fixed number of sixty-five members:

(2.) There shall be assigned to each of the other Provinces such a number of members as will bear the same proportion to the number of its population (ascer-

tained at such census) as the number sixty-five bears to the number of the population of Quebec (so ascertained):

(3.) In the computation of the number of members for a Province a fractional part not exceeding one half of the whole number requisite for entitling the Province to a member shall be disregarded; but a fractional part exceeding one half of that number shall be equivalent to the whole number:

(4.) On any such readjustment the number of members for a Province shall not be reduced unless the proportion which the number of the population of the Province bore to the number of the aggregate population of Canada at the then last preceding readjustment of the number of members for the Province is ascertained at the then latest census to be diminished by one-twentieth part or upwards:

(5.) Such readjustment shall not take effect until the termination of the then existing Parliament (1).

52. The number of members of the House of Commons may be from time to time increased by the Parliament of Canada, provided the proportionate representation of the Provinces prescribed by this act is not thereby disturbed.

MONEY VOTES, ROYAL ASSENT.

53. Bills for appropriating any part of the public revenue, or for imposing any tax or impost, shall originate in the House of Commons (2).

54. It shall not be lawful for the House of Commons to adopt or pass any vote, resolution, address, or bill for the appropriation of any part of the public revenue or of any tax or impost, to any purpose, that has not first been recommended to that House by message of the Governor-General in the session in which such vote, resolution, address, or bill is proposed (3).

55. Where a bill passed by the Houses of the Parliament is presented to the Governor-General for the Queen's assent, he shall declare, according to his discretion, but subject to the provisions of this act and to Her Majesty's instructions, either that he assents thereto in the Queen's name, or that he withholds the Queen's assent, or that he reserves the bill for the signification of the Queen's pleasure.

56. Where the Governor-General assents to a bill in the Queen's name, he shall by the first convenient opportunity send an authentic copy of the act to one of Her Majesty's principal Secretaries of State, and if the Queen in Council, within two years after receipt thereof by the Secretary of State thinks fit to disallow the act, such disallowance (with a certificate of the Secretary of State of the day on which the act was received by him) being signified by the Governor-General, by speech or message to each of the Houses of Parliament or by proclamation, shall annul the act from and after the day of such signification.

(1) The following section was inserted after section 51 by the Imperial Statute 5-6 George V, c. 45:

"51a. Notwithstanding anything in this Act, a province shall always be entitled to a number of members in the House of Commons not less than the number of senators representing such province."

(2) See R.S.Q., c. 4, s. 39.

(3) See R.S.Q., c. 4, s. 40.

57. A bill reserved for the signification of the Queen's pleasure shall not have any force unless and until within two years from the day on which it was presented to the Governor-General for the Queen's assent, the Governor-General signifies, by speech or message to each of the Houses of the Parliament or by proclamation, that it has received the assent of the Queen in Council.

An entry of every such speech, message, or proclamation shall be made in the journal of each House, and a duplicate thereof duly attested shall be delivered to the proper officer to be kept among the records of Canada.

V. — PROVINCIAL CONSTITUTIONS.

EXECUTIVE POWER.

58. For each Province there shall be an officer, styled the Lieutenant-Governor, appointed by the Governor-General in Council by instrument under the Great Seal of Canada.

59. A Lieutenant-Governor shall hold office during the pleasure of the Governor-General; but any Lieutenant-Governor appointed after the commencement of the first session of the Parliament of Canada shall not be removable within five years from his appointment, except for cause assigned, which shall be communicated to him in writing within one month after the order of his removal is made, and shall be communicated by message to the Senate and to the House of Commons within one week thereafter if the Parliament is then sitting, and if not then within one week after the commencement of the next session of the Parliament.

60. The salaries of the Lieutenant-Governors shall be fixed and provided by the Parliament of Canada.

61. Every Lieutenant-Governor shall, before assuming the duties of his office, make and subscribe before the Governor-General or some person authorized by him, oaths of allegiance and office similar to those taken by the Governor-General.

62. The provisions of this act referring to the Lieutenant-Governor extend and apply to the Lieutenant-Governor for the time being of each Province or other the chief executive officer or administrator for the time being carrying on the government of the Province, by whatever title he is designated.

63. The executive Council of Ontario and of Quebec shall be composed of such persons as the Lieutenant-Governor from time to time thinks fit, and in the first instance of the following officers, namely,—the Attorney-General, the Secretary and Registrar of the Province, the Treasurer of the Province, the Commissioner of Crown Lands, and the Commissioner of Agriculture and Public Works, with in Quebec, the Speaker of the Legislative Council and the Solicitor-General (1).

64. The constitution of the executive authority in each of the Provinces of Nova Scotia and New Brunswick shall, subject to the provisions of this act, continue as it exists at the Union until altered under the authority of this act.

(1) As to the present constitution of the Executive Council of Quebec, cf. R.S.Q., ch. 7, ss. 4 and foll.

65. All powers, authorities, and functions which under any act of the Parliament of Great Britain, or of the Parliament of the United Kingdom of Great Britain and Ireland, or of the Legislature of Upper Canada, Lower Canada, or Canada, were or are before or at the Union vested in or exercisable by the respective Governors or Lieutenant-Governors of those Provinces, with the advice, or with the advice and consent, of the respective Executive Councils thereof, or in conjunction with those Councils, or with any number of members thereof, or by those Governors or Lieutenant-Governors individually, shall, as far as the same are capable of being exercised after the Union in relation to the government of Ontario and Quebec respectively, be vested in and shall or may be exercised by the Lieutenant-Governor of Ontario and Quebec respectively, with the advice, or with the advice and consent of, or in conjunction with the respective Executive Councils, or any members thereof, or by the Lieutenant-Governor individually, as the case requires, subject nevertheless (except with respect to such as exist under acts of the Parliament of Great Britain, or of the Parliament of the United Kingdom of Great Britain and Ireland), to be abolished or altered by the respective Legislatures of Ontario and Quebec.

66. The provisions of this act referring to the Lieutenant-Governor in Council shall be construed as referring to the Lieutenant-Governor of the Province acting by and with the advice of the Executive Council thereof.

67. The Governor-General in Council may, from time to time, appoint an administrator to execute the office and functions of Lieutenant-Governor during his absence, illness, or other inability.

68. Unless and until the executive government of any Province otherwise directs with respect to that Province, the seats of government of the Provinces shall be as follows, namely,—of Ontario, the city of Toronto; of Quebec, the city of Quebec; of Nova Scotia, the city of Halifax; and of New Brunswick, the city of Fredericton.

LEGISLATIVE POWER.

1. — *Ontario.*

69. There shall be a Legislature for Ontario consisting of the Lieutenant-Governor and of one House, styled the Legislative Assembly of Ontario.

70. The Legislative Assembly of Ontario shall be composed of eighty-two members, to be elected to represent the eighty-two electoral districts set forth in the first schedule to this act.

2. — *Quebec.*

71. There shall be a Legislature for Quebec consisting of the Lieutenant-Governor and two Houses, styled the Legislative Council of Quebec and the Legislative Assembly of Quebec.

72. The Legislative Council of Quebec shall be composed of twenty-four members, to be appointed by the Lieutenant-Governor in the Queen's name by instrument under the Great Seal of Quebec, one being appointed to represent each of the twenty-four electoral divisions of Lower Canada in this act referred to, and

each holding office for the term of his life, unless the Legislature of Quebec otherwise provides under the provisions of this act (1).

73. The qualifications of the Legislative Councillors of Quebec shall be the same as those of the Senators for Quebec (2).

74. The place of a Legislative Councillor of Quebec shall become vacant in the cases, *mutatis mutandis*, in which the place of Senator becomes vacant (3).

75. When a vacancy happens in the Legislative Council of Quebec by resignation, death, or otherwise, the Lieutenant-Governor, in the Queen's name, by instrument under the Great Seal of Quebec, shall appoint a fit and qualified person to fill the vacancy.

76. If any question arises respecting the qualification of a Legislative Councillor of Quebec, or a vacancy in the Legislative Council of Quebec, the same shall be heard and determined by the Legislative Council.

77. The Lieutenant-Governor may, from time to time, by instrument under the Great Seal of Quebec, appoint a member of the Legislative Council of Quebec to be Speaker thereof, and may remove him and appoint another in his stead.

78. Until the Legislature of Quebec otherwise provides, the presence of at least ten members of the Legislative Council, including the Speaker, shall be necessary to constitute a meeting for the exercise of its powers.

79. Questions arising in the Legislative Council of Quebec shall be decided by a majority of voices, and the Speaker shall in all cases have a vote, and when the voices are equal the decision shall be deemed to be in the negative.

80. The Legislative Assembly of Quebec shall be composed of sixty-five members, to be elected to represent the sixty-five electoral divisions or districts of Lower Canada in this act referred to, subject to alteration thereof by the Legislature of Quebec: provided that it shall not be lawful to present to the Lieutenant-Governor of Quebec for assent, any bill for altering the limits of any of the electoral divisions or districts mentioned in the second schedule to this act, unless the second and third readings of such bill have been passed in the Legislative Assembly with the concurrence of the majority of the members representing all those electoral divisions or districts, and the assent shall not be given to such bill unless an address has been presented by the Legislative Assembly to the Lieutenant-Governor stating that it has been so passed (4).

3. — Ontario and Quebec.

81. The Legislatures of Ontario and Quebec respectively shall be called together not later than six months after the Union.

82. The Lieutenant-Governor of Ontario and of Quebec shall, from time to

(1) As to the present composition of the divisions, cf. R.S.Q., c. 3, s. 13.

(2) See s. 23 *supra*. But it is sufficient for any member of the Legislative Council to be domiciled, and to possess his property qualification, within the Province. R.S.Q., c. 4, s. 7.

(3) See ss. 30, 31, *supra*.

(4) The Legislative Assembly of Quebec is presently composed of 86 members, elected by 87 electoral divisions. R. S. Q., c. 4, ss. 20, 21.

time, in the Queen's name, by instrument under the Great Seal of the Province, summon and call together the Legislative Assembly of the Province.

83. Until the Legislature of Ontario or of Quebec otherwise provides, a person accepting or holding in Ontario or in Quebec any office, commission or employment, permanent or temporary, at the nomination of the Lieutenant-Governor, to which an annual salary, or any fee, allowance, emolument or profit of any kind or amount whatever from the Province is attached, shall not be eligible as a member of the Legislative Assembly of the respective Province, nor shall he sit or vote as such; but nothing in this section shall make ineligible any person being a member of the Executive Council of the respective Province, or holding any of the following offices, that is to say, the offices of Attorney-General, Secretary and Registrar of the Province, Treasurer of the Province, Commissioner of Crown Lands, and Commissioner of Agriculture and Public Works, and in Quebec Solicitor-General, or shall disqualify him to sit or vote in the House for which he is elected, provided he is elected while holding such office (1).

84. Until the Legislatures of Ontario and Quebec respectively otherwise provide, all laws which at the Union are in force in those Provinces respectively, relative to the following matters, or any of them, namely,—the qualifications and disqualifications of persons to be elected or to sit or vote as members of the Assembly of Canada, the qualifications or disqualifications of voters, the oaths to be taken by voters, the returning officers, their powers and duties, the proceedings at elections, the periods during which such elections may be continued, and the trial of controverted elections and the proceedings incident thereto, the vacating of the seats of members, and the issuing and execution of new writs in case of seats vacated otherwise than by dissolution, shall respectively apply to elections of members to serve in the respective Legislative Assemblies of Ontario and Quebec.

Provided that until the Legislature of Ontario otherwise provides, at any election for a member of the Legislative Assembly of Ontario for the district of Algoma, in addition to persons qualified by the law of the Province of Canada to vote, every male British subject, aged twenty-one years or upwards, being a householder, shall have a vote.

85. Every Legislative Assembly of Ontario and every Legislative Assembly of Quebec shall continue for four years from the day of the return of the writs for choosing the same (subject nevertheless to either the Legislative Assembly of Ontario or the Legislative Assembly of Quebec being sooner dissolved by the Lieutenant-Governor of the Province), and no longer (2).

86. There shall be a session of the Legislature of Ontario and of that of Quebec once at least in every year, so that twelve months shall not intervene between the last sitting of the Legislature in each Province in one session and its first sitting in the next session.

87. The following provisions of this act respecting the House of Commons of Canada shall extend and apply to the Legislative Assemblies of Ontario and Quebec, that is to say, — the provisions relating to the election of a Speaker originally

(1) In Quebec, when a member becomes a minister with portfolio, it is not necessary for him to be reelected. R.S.Q., c. 4, s. 66.

(2) The present duration of Assembly in Quebec is five years. R.S.Q., c. 4, s. 38.

and on vacancies, the duties of the Speaker, the absence of the Speaker, the quorum, and the mode of voting, as if those provisions were here re-enacted and made applicable in terms to each such Legislative Assembly (1).

4. — *Nova Scotia and New Brunswick.*

88. The constitution of the Legislature of each of the Provinces of Nova Scotia and New Brunswick shall, subject to the provisions of this act, continue as it exists at the Union until altered under the authority of this act; and the House of Assembly of New Brunswick existing at the passing of this act shall, unless sooner dissolved, continue for the period for which it was elected.

5. — *Ontario, Quebec and Nova Scotia.*

89. Each of the Lieutenant-Governors of Ontario, Quebec, and Nova Scotia, shall cause writs to be issued for the first election of members of the Legislative Assembly thereof in such form and by such person as he thinks fit, and at such time and addressed to such returning officer as the Governor-General directs, and so that the first election of member of Assembly for any electoral district or any subdivision thereof shall be held at the same time and at the same places as the election for a member to serve in the House of Commons of Canada for that electoral district.

6. — *The Four Provinces.*

90. The following provisions of this act respecting the Parliament of Canada, namely,—the provisions relating to appropriation and tax bills, the recommendation of money votes, the assent to bills, the disallowance of acts, and the signification of pleasure on bills reserved,—shall extend and apply to the Legislatures of the several Provinces as if those provisions were here re-enacted and made applicable in terms to the respective Provinces and the Legislatures thereof, with the substitution of the Lieutenant-Governor of the Province for the Governor-General, of the Governor-General for the Queen and for a Secretary of State, of one year for two years, and of the Province for Canada (2).

VI. — DISTRIBUTION OF LEGISLATIVE POWERS.

POWERS OF THE PARLIAMENT.

91. It shall be lawful for the Queen, by and with the advice and consent of the Senate and House of Commons, to make laws for the peace, order and good government of Canada, in relation to all matters not coming within the classes of subjects by this act assigned exclusively to the Legislatures of the Provinces; and for greater certainty, but not so as to restrict the generality of the foregoing terms of this section, it is hereby declared that (notwithstanding anything in this act) the exclusive legislative authority of the Parliament of Canada extends

(1) See ss. 44-49, *supra*. In Quebec, the quorum has been reduced to fifteen; moreover, the Chairman of Committees, while the Speaker is absent, performs the Speaker's duties. R.S.Q., c. 4, ss. 37, 41.

(2) See ss. 53, 57, *supra*.

to all matters coming within the classes of subjects next hereinafter enumerated; that is to say,—

1. The public debt and property.
2. The regulation of trade and commerce.
3. The raising of money by any mode or system of taxation.
4. The borrowing of money on the public credit.
5. Postal service.
6. The census and statistics.
7. Militia, military and naval service, and defence.
8. The fixing of and providing for the salaries and allowances of civil and other officers of the Government of Canada.
9. Beacons, buoys, lighthouses and Sable Island.
10. Navigation and shipping.
11. Quarantine and the establishment and maintenance of marine hospitals.
12. Sea coast and inland fisheries.
13. Ferries between a Province and any British or foreign country or between two Provinces.
14. Currency and coinage.
15. Banking, incorporation of banks, and the issue of paper money.
16. Savings banks.
17. Weights and measures.
18. Bills of exchange and promissory notes.
19. Interest.
20. Legal tender.
21. Bankruptcy and insolvency.
22. Patents of invention and discovery.
23. Copyrights.
24. Indians, and lands reserved for the Indians.
25. Naturalization and aliens.
26. Marriage and divorce.
27. The criminal law, except the constitution of courts of criminal jurisdiction, but including the procedure in criminal matters.
28. The establishment, maintenance and management of penitentiaries.
29. Such classes of subjects as are expressly excepted in the enumeration of the classes of subjects by this act assigned exclusively to the Legislatures of the Provinces.

And any matter coming within any of the classes of subjects enumerated in this section shall not be deemed to come within the class of matters of a local or private nature comprised in the enumeration of the classes of subjects by this act assigned exclusively to the Legislatures of the Provinces (1).

(1) This section was amended under the Imperial Statute, 4 George VI, c. 36, by inserting the following paragraph in the enumeration: "2a. Unemployment insurance."

EXCLUSIVE POWERS OF PROVINCIAL LEGISLATURES.

92. In each Province the Legislature may exclusively make laws in relation to matters coming within the classes of subjects next hereinafter enumerated; that is to say,—

1. The amendment from time to time, notwithstanding anything in this act, of the constitution of the Province, except as regards the office of Lieutenant-Governor.

2. Direct taxation within the Province in order to the raising of a revenue for provincial purposes.

3. The borrowing of money on the sole credit of the Province.

4. The establishment and tenure of provincial offices, and the appointment and payment of provincial officers.

5. The management and sale of the public lands belonging to the Province, and of the timber and wood thereon.

6. The establishment, maintenance, and management of public and reformatory prisons in and for the Province.

7. The establishment, maintenance, and management of hospitals, asylums, charities, and eleemosynary institutions in and for the Province, other than marine hospitals.

8. Municipal institutions in the Province.

9. Shop, saloon, tavern, and auctioneer, and other licenses, in order to the raising of a revenue for provincial, local, or municipal purposes.

10. Local works and undertakings, other than such as are of the following classes:

a. Lines of steam or other ships, railways, canals, telegraphs, and other works and undertakings connecting the Province with any other or others of the Provinces, or extending beyond the limits of the Province:

b. Lines of steam ships between the Province and any British or foreign country:

c. Such works as, although wholly situate within the Province, are before or after their execution declared by the Parliament of Canada to be for the general advantage of Canada or for the advantage of two or more of the Provinces.

11. The incorporation of companies with provincial objects.

12. The solemnization of marriage in the Province.

13. Property and civil rights in the Province.

14. The administration of justice in the Province, including the constitution, maintenance and organization of provincial courts, both of civil and of criminal jurisdiction, and including procedure in civil matters in those courts.

15. The imposition of punishment by fine, penalty, or imprisonment for enforcing any law of the Province made in relation to any matter coming within any of these classes of subjects enumerated in this section.

16. Generally all matters of a merely local or private nature in the Province.

EDUCATION.

93. In and for the Province the Legislature may exclusively make laws in relation to education, subject and according to the following provisions:—

(1.) Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the Province at the Union:

(2.) All the powers, privileges, and duties at the Union by law conferred and imposed in Upper Canada on the separate schools and school trustees of the Queen's Roman Catholic subjects, shall be and the same are hereby extended to the dissentient schools of the Queen's Protestant and Roman Catholic subjects in Quebec:

(3.) Where in any Province a system of separate or dissentient schools exists by law at the Union or is thereafter established by the Legislature of the Province, an appeal shall lie to the Governor-General in Council from any act or decision of any provincial authority affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to education:

(4.) In case any such provincial law as from time to time seems to the Governor-General in Council requisite for the due execution of the provisions of this section is not made, or in case any decision of the Governor-General in Council on any appeal under this section is not duly executed by the proper provincial authority in that behalf, then and in every such case, and as far only as the circumstances of each case require, the Parliament of Canada may make remedial laws for the due execution of the provisions of this section, and of any decision of the Governor-General in Council under this section.

UNIFORMITY OF LAWS IN ONTARIO, NOVA SCOTIA, AND NEW BRUNSWICK.

94. Notwithstanding anything in this act, the Parliament of Canada may make provision for the uniformity of all or any of the laws relative to property and civil rights in Ontario, Nova Scotia and New Brunswick, and of the procedure of all or any of the courts in those three Provinces, and from and after the passing of any act in that behalf, the power of the Parliament of Canada to make laws in relation to any matter comprised in any such act shall, notwithstanding anything in this act, be unrestricted; but any act of the Parliament of Canada making provision for such uniformity shall not have effect in any Province unless and until it is adopted and enacted as law by the Legislature thereof.

AGRICULTURE AND IMMIGRATION.

95. In each province the Legislature may make laws in relation to agriculture in the Province, and to immigration into the Province; and it is hereby declared that the Parliament of Canada may from time to time make laws in relation to agriculture in all or any of the Provinces, and to immigration into all or any of the Provinces; and any law of the Legislature of a Province relative to agriculture or to immigration shall have effect in and for the Province as long and as far only as it is not repugnant to any act of the Parliament of Canada.

VII. — JUDICATURE.

96. The Governor-General shall appoint the judges of the Superior, District, and County Courts in each Province, except those of the Courts of Probate in Nova Scotia and New Brunswick.

97. Until the laws relative to property and civil rights in Ontario, Nova Scotia and New Brunswick, and the procedure of the courts in those Provinces, are made

uniform, the judges of the courts of those Provinces appointed by the Governor-General shall be selected from the respective bars of those Provinces.

98. The judges of the courts of Quebec shall be selected from the bar of that Province.

99. The judges of the Superior Courts shall hold office during good behaviour, but shall be removable by the Governor-General on address of the Senate and House of Commons.

100. The salaries, allowances and pensions of the judges of the Superior, District and County Courts (except the Courts of Probate in Nova Scotia and New Brunswick), and of the Admiralty Courts in cases where the judges thereof are for the time being paid by salary, shall be fixed and provided by the Parliament of Canada.

101. The Parliament of Canada may, notwithstanding anything in this act, from time to time, provide for the constitution, maintenance and organization of a general Court of Appeal for Canada, and for the establishment of any additional courts for the better administration of the laws of Canada.

VIII. — REVENUES, DEBTS, ASSETS, TAXATION.

102. All duties and revenues over which the respective Legislature of Canada, Nova Scotia and New Brunswick before and at the Union had and have power of appropriation, except such portions thereof as are by this act reserved to the respective Legislatures of the Provinces, or are raised by them in accordance with the special powers conferred on them by this act, shall form one consolidated revenue fund, to be appropriated for the public service of Canada in the manner and subject to the charges in this act provided.

103. The consolidated revenue fund of Canada shall be permanently charged with the costs, charges and expenses incident to the collection, management, and receipt thereof, and the same shall form the first charge thereon, subject to be reviewed and audited in such manner as shall be ordered by the Governor-General in Council until the Parliament otherwise provides.

104. The annual interest of the public debts of the several Provinces of Canada, Nova-Scotia, and New Brunswick at the Union shall form the second charge on the consolidated revenue fund of Canada.

105. Unless altered by the Parliament of Canada, the salary of the Governor-General shall be ten thousand pounds sterling money of the United Kingdom of Great Britain and Ireland, payable out of the consolidated revenue fund of Canada, and the same shall form the third charge thereon.

106. Subject to the several payments by this act charged on the consolidated revenue fund of Canada, the same shall be appropriated by the Parliament of Canada for the public service.

107. All stocks, cash, banker's balances, and securities for money belonging to each Province at the time of the Union, except as in this act mentioned, shall be the property of Canada, and shall be taken in reduction of the amount of the respective debts of the Provinces at the Union.

108. The public works and property of each Province enumerated in the third schedule to this act shall be the property of Canada.

109. All lands, mines, minerals, and royalties belonging to the several Provinces of Canada, Nova Scotia and New Brunswick at the Union, and all sums then due or payable for such lands, mines, minerals, or royalties, shall belong to the several Provinces of Ontario, Quebec, Nova Scotia and New Brunswick in which the same are situate or arise, subject to any trusts existing in respect thereof, and to any interest other than that of the Province in the same.

110. All assets connected with such portions of the public debt of each Province as are assumed by that Province shall belong to that Province.

111. Canada shall be liable for the debts and liabilities of each Province existing at the Union.

112. Ontario and Quebec conjointly shall be liable to Canada for the amount (if any) by which the debt of the Province of Canada exceeds at the Union sixty-two million five hundred thousand dollars, and shall be charged with interest at the rate of five per centum per annum thereon.

113. The assets enumerated in the fourth schedule to this act belonging at the Union to the Province of Canada shall be the property of Ontario and Quebec conjointly.

114. Nova Scotia shall be liable to Canada for the amount (if any) by which its public debt exceeds at the Union eight million dollars, and shall be charged with interest at the rate of five per centum per annum thereon.

115. New Brunswick shall be liable to Canada for the amount (if any) by which its public debt exceeds at the Union seven million dollars, and shall be charged with interest at the rate of five per centum per annum thereon.

116. In case the public debts of Nova Scotia and New Brunswick do not at the Union amount to eight million and seven million dollars respectively, they shall respectively receive by half-yearly payments in advance from the Government of Canada, interest at five per centum per annum on the difference between the actual amounts of their respective debts and such stipulated amounts.

117. The several Provinces shall retain all their respective public property not otherwise disposed of in this act, subject to the right of Canada to assume any lands or public property required for fortifications or for the defence of the country.

118. The following sums shall be paid yearly by Canada to the several Provinces for the support of their Governments and Legislatures:

	Dollars.
Ontario	Eighty thousand.
Quebec	Seventy thousand.
Nova Scotia	Sixty thousand.
New Brunswick	Fifty thousand.

Two hundred and sixty thousand;

And an annual grant in aid of each Province shall be made, equal to eighty cents per head of the population as ascertained by the census of one thousand eight

hundred and sixty-one, and in the case of Nova-Scotia and New Brunswick, by each subsequent decennial census until the population of each of those two Provinces amounts to four hundred thousand souls, at which rate such grant shall thereafter remain. Such grants shall be in full settlement of all future demands on Canada, and shall be paid half-yearly in advance to each Province; but the Government of Canada shall deduct from such grants, as against any Province, all sums chargeable as interest on the public debt of that Province in excess of the several amounts stipulated in this act (1).

119. New Brunswick shall receive by half-yearly payments in advance from Canada, for the period of ten years from the Union, an additional allowance of sixty-three thousand dollars per annum; but as long as the public debt of that Province remains under seven million dollars, a deduction equal to the interest at five per centum per annum on such deficiency shall be made from that allowance of sixty-three thousand dollars.

120. All payments to be made under this act, or in discharge of liabilities created under any act of the Provinces of Canada, Nova Scotia and New Brunswick respectively, and assumed by Canada, shall, until the Parliament of Canada otherwise directs, be made in such form and manner as may from time to time be ordered by the Governor-General in Council.

121. All articles of the growth, produce or manufacture of any one of the Provinces shall, from and after the Union, be admitted free into each of the other Provinces.

122. The customs and excise laws of each Province shall, subject to the provisions of this act, continue in force until altered by the Parliament of Canada.

123. Where customs duties are, at the Union, leviable on any goods, wares or merchandises in any two Provinces, those goods, wares and merchandises may, from and after the Union, be imported from one of those Provinces into the other of them on proof of payment of the customs duty leviable thereon in the Province of exportation, and on payment of such further amount (if any) of customs duty as is leviable thereon in the Province of importation.

124. Nothing in this act shall affect the right of New Brunswick to levy the lumber dues provided in chapter fifteen of title three of the Revised Statutes of New Brunswick, or in any act amending that act before or after the Union, and not increasing the amount of such dues; but the lumber of any of the Provinces other than New Brunswick shall not be subject to such dues (2).

125. No lands or property belonging to Canada or any Province shall be liable to taxation.

126. Such portions of the duties and revenues over which the respective Legislatures of Canada, Nova Scotia and New Brunswick had before the Union, power of appropriation, as are by this act reserved to the respective Governments or Legislatures of the Provinces, and all duties and revenues raised by them in accordance with the special powers conferred upon them by this act, shall in

(1) See R. S. C., 1906, c. 28, ss. 6 to 8; and Imperial Statute, 7 Ed. VII, c. 11.

(2) See Canadian Statute 36 Vict., c. 41.

each Province form one consolidated revenue fund to be appropriated for the public service of the Province.

IX. — MISCELLANEOUS PROVISIONS.

GENERAL

127. If any person, being at the passing of this act a member of the Legislative Council of Canada, Nova Scotia or New Brunswick, to whom a place in the Senate is offered, does not within thirty days thereafter, by writing under his hand, addressed to the Governor-General of the Province of Canada or to the Lieutenant-Governor of Nova Scotia or New Brunswick (as the case may be), accept the same, he shall be deemed to have declined the same; and any person who, being at the passing of this act a member of the Legislative Council of Nova Scotia or New Brunswick, accepts a place in the Senate, shall thereby vacate his seat in such Legislative Council.

128. Every member of the Senate or House of Commons of Canada shall, before taking his seat therein, take and subscribe before the Governor-General or some person authorized by him, and every member of a Legislative Council or Legislative Assembly of any Province shall, before taking his seat therein take and subscribe before the Lieutenant-Governor of the Province, or some person authorized by him, the oath of allegiance contained in the fifth schedule to this act; and every member of the Senate of Canada, and every member of the Legislative Council of Quebec shall also, before taking his seat therein, take and subscribe before the Governor-General, or some person authorized by him, the declaration of qualification contained in the same schedule.

129. Except as otherwise provided by this act, all laws in force in Canada, Nova Scotia, or New Brunswick at the Union, and all Courts of Civil and Criminal jurisdiction, and all legal commissions, powers, and authorities, and all officers, judicial, administrative, and ministerial, existing therein at the Union, shall continue, in Ontario, Quebec, Nova Scotia, and New Brunswick respectively, as if the Union had not been made; subject nevertheless (except with respect to such as are enacted by or exist under acts of the Parliament of Great Britain or of the Parliament of the United Kingdom of Great Britain and Ireland), to be repealed, abolished, or altered by the Parliament of Canada, or by the Legislature of the respective Province, according to the authority of the Parliament or of that Legislature under this act.

130. Until the Parliament of Canada otherwise provides, all officers of the several Provinces having duties to discharge in relation to matters other than those coming within the classes of subjects by this act assigned exclusively to the Legislatures of the Provinces, shall be officers of Canada, and shall continue to discharge the duties of their respective offices under the same liabilities, responsibilities and penalties, as if the Union had not been made.

131. Until the Parliament of Canada otherwise provides, the Governor-General in Council may from time to time appoint such officers as the Governor-General in Council deems necessary or proper for the effectual execution of this act.

132. The Parliament and Government of Canada shall have all powers necessary or proper for performing the obligations of Canada or of any Province thereof, as part of the British Empire, towards foreign countries, arising under treaties between the Empire and such foreign countries.

133. Either the English or the French language may be used by any person in the debates of the Houses of the Parliament of Canada and of the Houses of the Legislature of Quebec; and both those languages shall be used in the respective records and journals of those Houses; and either of those languages may be used by any person or in any pleading or process in or issuing from any Court of Canada established under this act, and in or from all or any of the Courts of Quebec.

The acts of the Parliament of Canada and of the Legislature of Quebec shall be printed and published in both those languages.

ONTARIO AND QUEBEC.

134. Until the Legislature of Ontario or of Quebec otherwise provides, the Lieutenant-Governors of Ontario and Quebec may each appoint, under the Great Seal of the Province, the following officers, to hold office during pleasure, that is to say, — the Attorney-General, the Secretary and Registrar of the Province, the Treasurer of the Province, the Commissioner of Crown Lands, and the Commissioner of Agriculture and Public Works, and, in the case of Quebec, the Solicitor-General; and may, by order of the Lieutenant-Governor in Council, from time to time, prescribe the duties of those officers and of the several departments over which they shall preside, or to which they shall belong, and of the officers and clerks thereof, and may also appoint other and additional officers to hold office during pleasure, and may from time to time prescribe the duties of those officers, and of the several departments over which they shall preside or to which they shall belong, and of the officers and clerks thereof (1).

135. Until the Legislature of Ontario or Quebec otherwise provides, all rights, powers, duties, functions, responsibilities, or authorities at the passing of this act vested in or imposed on the Attorney-General, Solicitor-General, Secretary and Registrar of the Province of Canada, Minister of Finance, Commissioner of Crown Lands, Commissioner of Public Works and Minister of Agriculture and Receiver-General, by any law, statute or ordinance of Upper Canada, Lower Canada, or Canada, and not repugnant to this act, shall be vested in or imposed on any officer to be appointed by the Lieutenant-Governor for the discharge of the same or any of them; and the Commissioner of Agriculture and Public Works shall perform the duties and functions of the office of Minister of Agriculture at the passing of this act imposed by the law of the Province of Canada as well as those of the Commissioner of Public Works.

136. Until altered by the Lieutenant-Governor in Council, the Great Seals of Ontario and Quebec respectively shall be the same, or of the same design, as those used in the Provinces of Upper Canada and Lower Canada respectively before their union as the Province of Canada.

(1) See note under section 63, *supra*.

137. The words "and from thence to the end of the then next ensuing session of the Legislature," or words to the same effect used in any temporary act of the Province of Canada not expired before the Union, shall be construed to extend and apply to the next session of the Parliament of Canada, if the subject-matter of the act is within the powers of the same as defined by this act, or to the next sessions of the Legislatures of Ontario and Quebec respectively, if the subject-matter of the act is within the powers of the same as defined by this act.

138. From and after the Union the use of the words "Upper Canada" instead of "Ontario", or "Lower Canada" instead of "Quebec", in any deed, writ, process, pleading, document, matter, or thing, shall not invalidate the same.

139. Any proclamation under the Great Seal of the Province of Canada, issued before the Union, to take effect at a time which is subsequent to the Union, whether relating to that Province, or to Upper Canada, or to Lower Canada, and the several matters and things therein proclaimed, shall be and continue of like force and effect as if the Union had not been made.

140. Any proclamation which is authorized by any act of the Legislature of the Province of Canada to be issued under the Great Seal of the Province of Canada, whether relating to that province, or to Upper Canada, or to Lower Canada, and which is not issued before the Union, may be issued by the Lieutenant-Governor of Ontario or of Quebec, as its subject-matter requires, under the Great Seal thereof; and from and after the issue of such proclamation, the same and the several matters and things therein proclaimed, shall be and continue of the like force and effect in Ontario or Quebec as if the Union had not been made.

141. The penitentiary of the Province of Canada shall, until the Parliament of Canada otherwise provides, be and continue the penitentiary of Ontario and of Quebec.

142. The division and adjustment of the debts, credits, liabilities, properties, and assets of Upper Canada and Lower Canada shall be referred to the arbitration of three arbitrators, one chosen by the Government of Ontario, one by the Government of Quebec, and one by the Government of Canada; and the selection of the arbitrators shall not be made until the Parliament of Canada and the Legislatures of Ontario and Quebec have met; and the arbitrator chosen by the Government of Canada shall not be a resident either in Ontario or in Quebec.

143. The Governor-General in Council may, from time to time, order that such and so many of the records, books, and documents of the Province of Canada as he thinks fit shall be appropriated and delivered either to Ontario or to Quebec, and the same shall thenceforth be the property of that Province; and any copy thereof or extract therefrom, duly certified by the officer having charge of the original thereof, shall be admitted as evidence.

144. The Lieutenant-Governor of Quebec may from time to time, by proclamation under the Great Seal of the Province, to take effect from a day to be appropriated therein, constitute townships in those parts of the Province of Quebec in which townships are not already constituted, and fix the metes and bounds thereof.

X. — INTERCOLONIAL RAILWAY.

145. Inasmuch as the Province of Canada, Nova Scotia, and New Brunswick have joined in a declaration that the construction of the Intercolonial Railway is essential to the consolidation of the union of British North America, and to the assent thereto of Nova Scotia and New Brunswick, and have consequently agreed that provision should be made for its immediate construction by the Government of Canada: Therefore, in order to give effect to that agreement, it shall be the duty of the Government and Parliament of Canada to provide for the commencement within six months after the Union, of a railway connecting the river St. Lawrence with the city of Halifax in Nova Scotia, and for the construction thereof without intermission, and the completion thereof with all practicable speed.

XI. — ADMISSION OF OTHER COLONIES.

146. It shall be lawful for the Queen, by and with the advice of Her Majesty's Most Honourable Privy Council, on addresses from the Houses of the Parliament of Canada, and from the Houses of the respective Legislatures of the Colonies or Provinces of Newfoundland, Prince Edward Island and British Columbia, to admit those Colonies or Provinces, or any of them, into the Union, and on address from the Houses of the Parliament of Canada to admit Rupert's Land and the North-Western Territory, or either of them, into the Union, on such terms and conditions in each case as are in the addresses expressed and as the Queen thinks fit to approve, subject to the provisions of this act; and the provisions of any Order in Council in that behalf shall have effect as if they had been enacted by the Parliament of the United Kingdom of Great Britain and Ireland (1).

147. In case of the admission of Newfoundland and Prince Edward Island or either of them, each shall be entitled to a representation, in the Senate of Canada, of four members, and (notwithstanding anything in this act) in case of the admission of Newfoundland, the normal number of Senators shall be seventy-six and their maximum number be eighty-two; but Prince Edward Island, when admitted, shall be deemed to be comprised in the third of the three divisions into which Canada is, in relation to the constitution of the Senate, divided by this act, and accordingly, after the admission of Prince Edward Island, whether Newfoundland is admitted or not, the representation of Nova Scotia and New Brunswick in the Senate shall, as vacancies occur, be reduced from twelve to ten members respectively and the representation of each of those Provinces shall not be increased at any time beyond ten, except under the provisions of this act for the appointment of three or six additional Senators under the direction of the Queen.

(1) Cf. the Imperial Statute 31-32 Victoria, c. 105, as to the Admission of Rupert's Land into the Dominion; the Canadian Statute 33 Victoria, c. 3, as to the Constitution of Manitoba and the organization of the North West Territories; the Order in Council (Imp.) of the 16th May, 1871, as to the admission of British Columbia into the Dominion; the Imperial Statute 34-35 Victoria, c. 28, as to the confirmation of Manitoba's Constitution and also as to the power given to the Dominion to establish new Provinces, to change the limits of any Province with the consent of its Legislature, and to make laws for any territory not within a Province; the Order in Council (Imp.) of the 26th June, 1873, as to the admission of Prince Edward Island into the Dominion; the Canadian Statutes 4-5 Edward VII, c. 3 and 42, as to the Constitutions of Alberta and Saskatchewan; the Canadian Statutes 2 George V, c. 32, 40 and 45, as to the extension of the north limits of Manitoba, Ontario and Quebec.

THE FIRST SCHEDULE.

*Electoral Districts of Ontario.**(The first schedule contains the enumeration of such electoral districts.)*

THE SECOND SCHEDULE.

Electoral Districts of Quebec Specially Fixed.

Counties of—

Pontiac.	Missisquoi.	Compton.
Ottawa.	Brome.	Wolfe and Richmond.
Argenteuil.	Shefford.	Megantic.
Huntingdon.	Stanstead.	
	Town of Sherbrooke.	

THE THIRD SCHEDULE.

Provincial Public Works and Property to be the Property of Canada.

1. Canals with lands and water power connected therewith.
2. Public harbours.
3. Light-houses and piers, and Sable-Island.
4. Steamboats, dredges, and public vessels.
5. Rivers and lake improvements.
6. Railways and railway stocks, mortgages, and other debts due by railway companies.
7. Military roads.
8. Custom houses, post offices, and all other public buildings, except such as the Government of Canada appropriate for the use of the Provincial Legislatures and Governments.
9. Property transferred by the Imperial Government, and known as ordnance property.
10. Armouries, drill sheds, military clothing and munitions of war, and lands set apart for general public purposes.

THE FOURTH SCHEDULE.

Assets to be the Property of Ontario and Quebec conjointly.

Upper Canada Building Fund.	
Lunatic Asylums.	
Normal School.	
Court Houses in	} Lower Canada.
Aylmer,	
Montreal,	
Kamouraska	
Law Society, Upper Canada.	
Montreal Turnpike Trust.	

University Permanent Fund.
Royal Institution.
Consolidated Municipal Loan Fund, Upper Canada.
Consolidated Municipal Loan Fund, Lower Canada.
Agricultural Society, Upper Canada.
Lower Canada Legislative Grant.
Quebec Fire Loan.
Temiscouata Advance Account.
Quebec Turnpike Trust.
Education, East.
Building and Jury Fund, Lower Canada.
Municipalities Fund.
Lower Canada Superior Education Income Fund.

THE FIFTH SCHEDULE.

Oath of Allegiance.

I, A. B., do swear, that I will be faithful and bear true allegiance to Her Majesty Queen Victoria.

NOTE. — *The name of the King or Queen of the United Kingdom of Great Britain and Ireland for the time being is to be substituted from time to time, with proper terms of reference thereto.*

Declaration of Qualification.

I, A. B., do declare and testify, That I am by Law duly qualified to be appointed a Member of the Senate of Canada [*or as the Case may be*], and that I am legally or equitably seised as of Freehold for my own Use and Benefit of Lands or Tenements held in Free and Common Socage [*or seised or possessed for my own Use and Benefit of Lands or Tenements held in Franc-alieu or in Roture (as the Case may be),*] in the Province of Nova Scotia [*or as the Case may be*] of the Value of Four thousand Dollars over and above all Rents, Dues, Debts, Mortgages, Charges, and Incumbrances, due or payable out of or charged on or affecting the same, and that I have not collusively or colourably obtained a Title to or become possessed of the said Lands and Tenements or any Part thereof for the Purpose of enabling me to become a Member of the Senate of Canada [*or as the Case may be*], and that my Real and Personal Property are together worth Four thousand Dollars over and above my Debts and Liabilities.



THE STATUTE OF WESTMINSTER, 1931.

(22 George VI, chapter 4.)

An Act to give effect to certain resolutions passed by Imperial Conferences held in the years 1926 and 1930. (*Assented to, on the 11th December, 1931.*)

Whereas the delegates of His Majesty's Governments in the United Kingdom, the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, the Irish Free State and Newfoundland, at Imperial Conferences holden at Westminster in the years of our Lord nineteen hundred and twenty-six and nineteen hundred and thirty did concur in making the declarations and resolutions set forth in the Reports of the said Conferences:

And whereas it is meet and proper to set out by way of preamble to this Act that, inasmuch as the Crown is the symbol of the free association of the members of the British Commonwealth of Nations, and as they are united by a common allegiance to the Crown, it would be in accord with the established constitutional position of all the members of the Commonwealth in relation to one another that any alteration in the law touching the Succession to the Throne or the Royal Style and Titles shall hereafter require the assent as well of the Parliaments of all the Dominions as of the Parliament of the United Kingdom:

And whereas it is in accord with the established constitutional position that no law hereafter made by the Parliament of the United Kingdom shall extend to any of the said Dominions as part of the law of that Dominion otherwise than at the request and with the consent of that Dominion:

And whereas it is necessary for the ratifying, confirming and establishing of certain of the said declarations and resolutions of the said Conferences that a law be made and enacted in due form by authority of the Parliament of the United Kingdom:

And whereas the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, the Irish Free State and Newfoundland have severally requested and consented to the submission of a measure to the Parliament of the United Kingdom for making such provision with regard to the matters aforesaid as is hereafter in this Act contained:

Now, therefore, be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. In this Act the expression "Dominion" means any of the following Dominions, that is to say, the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, the Irish Free State and Newfoundland.

2. (1) The Colonial Laws Validity Act, 1865, shall not apply to any law made after the commencement of this Act by the Parliament of a Dominion.

(2) No law and no provision of any law made after the commencement of this Act by the Parliament of a Dominion shall be void or inoperative on the ground that it is repugnant to the law of England, or to the provisions of any existing or future Act of Parliament of the United Kingdom, or to any order, rule or regulation made under any such Act, and the powers of the Parliament of a Dominion shall include the power to repeal or amend any such Act, order, rule or regulation in so far as the same is part of the law of the Dominion.

3. It is hereby declared and enacted that the Parliament of a Dominion has full power to make laws having extra-territorial operation.

4. No Act of Parliament of the United Kingdom passed after the commencement of this Act shall extend, or be deemed to extend, to a Dominion as part of the law of that Dominion, unless it is expressly declared in that Act that that Dominion has requested, and consented to the enactment thereof.

5. Without prejudice to the generality of the foregoing provisions of this Act, sections seven hundred and thirty-five and seven hundred and thirty-six of the Merchant Shipping Act, 1894, shall be construed as though reference therein to the Legislature of a British possession did not include reference to the Parliament of a Dominion.

6. Without prejudice to the generality of the foregoing provisions of this Act, section four of the Colonial Courts of Admiralty Act, 1890 (which requires certain laws to be reserved for the signification of His Majesty's pleasure or to contain a suspending clause), and so much of section seven of that Act as requires the approval of His Majesty in Council to any rules of Court for regulating the practice and procedure of a Colonial Court of Admiralty, shall cease to have effect in any Dominion as from the commencement of this Act.

7. (1) Nothing in this Act shall be deemed to apply to the repeal, amendment or alteration of the British North America Acts, 1867 to 1930, or any order, rule or regulation made thereunder.

(2) The provisions of section two of this Act shall extend to laws made by any of the Provinces of Canada and to the powers of the legislatures of such Provinces.

(3) The powers conferred by this Act upon the Parliament of Canada or upon the legislatures of the Provinces shall be restricted to the enactment of laws in relation to matters within the competence of the Parliament of Canada or of any of the legislatures of the Provinces respectively.

8. (*Section 8 concerns the Constitution of Australia and of New Zealand only.*)

9. (*Section 9 concerns the States of Australia only.*)

10. (*Section 10 concerns Australia, New Zealand and Newfoundland only.*)

11. Notwithstanding anything in the Interpretation Act, 1889, the expression "Colony" shall not, in any Act of the Parliament of the United Kingdom passed after the commencement of this Act, include a Dominion or any Province or State forming part of a Dominion.

12. This Act may be cited as the Statute of Westminster, 1931.

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