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# New Insights on Bourinot's Parliamentary Publications

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by Margaret A. Banks

*Sir John George Bourinot, journalist, parliamentary reporter, historian, litterateur, and officer of the Senate and the House of Commons wrote widely on a great variety of subjects. Today, however, he is remembered chiefly for his treatise, *Parliamentary Procedure and Practice*, and for the book now known as *Bourinot's Rules of Order*. There is a great deal of misunderstanding about these two books, one often being mistaken for the other. To confuse the issue further, there were originally three books. The object of this article is to trace the history of each of them.*

**B**ourinot was born in Nova Scotia, in 1836. After being privately educated in Sydney, he attended the University of Trinity College, Toronto, but left without obtaining a degree. He began his career as a parliamentary reporter with a Toronto newspaper, *The Leader*; then, in 1858, he returned to Sydney, where he entered into articles of clerkship with a local lawyer, but soon decided against the practice of law as his life's work.

In 1860, in partnership with Joseph Crosskill, Bourinot founded a newspaper, *The Halifax Reporter*. The following year he began to report the debates of Nova Scotia's House of Assembly, continuing his work both as a newspaper proprietor and editor and as a parliamentary reporter until shortly before Confederation in 1867. Soon afterwards, he returned again to Sydney and seems to have been engaged mainly in freelance writing for the next two years. In 1869, he moved to Hull, Quebec, on being appointed to "the vacant English Clerkship" in the Senate. A year later, he took on additional responsibilities as "Short Hand Writer to the Senate and Committees of

the Senate". Finally, he moved from Hull to Ottawa and from the staff of the Senate to that of the House of Commons. In 1873, he was appointed Second Clerk Assistant of the Commons and in 1879, First Clerk Assistant. In December 1880, he realized his ambition to become Clerk of the House of Commons, a position he held until his death in October 1902.

## **Parliamentary Procedure and Practice: First Two Editions**

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In 1884, the first edition of Bourinot's *Parliamentary Procedure and Practice* was published. In the preface, the author declared his object to be to give "a summary of the rules and principles which guide the practice and proceedings of the Parliament of Canada." After noting that the rules and practices of the Parliament and the Legislatures of Canada were originally derived from those of the Imperial Parliament, he added "...in the course of years, divergencies of practice have arisen, and a great many precedents have been made which seem to call for such a work as this."

In the year before the appearance of the first edition of Bourinot's book, a ninth edition of Erskine May's classic

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work, *Treatise on the Law, Privileges, Proceedings, and Usage of Parliament*, had been published by Butterworths in London. Sir Thomas Erskine May was then nearing the end of his career as Clerk of the House of Commons at Westminster. Unlike Bourinot, he had written the first edition of his work long before his appointment as Clerk of the House of Commons. His interest in the subject probably began when he was assistant librarian of the House of Commons, a post to which he was appointed in 1831, at the age of 16. The ninth edition was the last to be prepared by May, who resigned his post in April 1886 and died in May of the same year. The book has been kept current by later clerks of the House of Commons at Westminster, assisted by others.

As soon as Bourinot's treatise on parliamentary procedure was published, it began to be compared favourably with May's classic work. Timothy Warren Anglin, a former Speaker of the House of Commons of Canada, declared its arrangement to be "more scientific than that of May's work, the lines of which it follows in the main."<sup>1</sup> Similarly, an Australian reviewer praised not only its method of arrangement, but also its clearness of treatment, fullness of precedent, and indexing, concluding that Bourinot "has had the opportunity of improving upon his model, and has taken advantage of it."<sup>2</sup>

***A reprint of the first edition of Bourinot's Parliamentary Procedure and Practice was published by the Irish University Press in 1971 and distributed in North America. Because cataloguers often include the date 1971 in the call number of this reprint, it is sometimes mistaken for a new edition and referred to incorrectly as the 1971 edition.***

The second edition of Bourinot's *Parliamentary Procedure and Practice* was published in 1892. In its preface, the author explained that he had "not only revised, but considerably enlarged it by bringing all the precedents down to the latest date, and by making it in other ways as useful as possible..." For instance, the new rules of the Senate in divorce proceedings were given at length and the practice concerning such proceedings explained. Bourinot noted the favourable reception of the first edition of his work "not only in Canada, but in the majority of English speaking countries," expressing the hope that this new edition would "meet with the same

favour". He was not to be disappointed; *The Illustrated London News* described him as "the Erskine May of Canada".

### **A Canadian Manual on the Procedure at Meetings**

After the publication of *Parliamentary Procedure and Practice*, Bourinot received frequent inquiries as to the correct procedures to be followed at municipal and other meetings. It was to meet the needs of various types of organizations that he wrote *A Canadian Manual on the Procedure at Meetings of Municipal Councils, Shareholders and Directors of Companies, Synods, Conventions, Societies and Public Bodies Generally*. The book, consisting of 444 pages, was published by Carswell in Toronto early in 1894. In the preface, Bourinot explained one of its objects:

In the practice of many societies and public bodies in this country some confusion appears to exist with reference to the true meaning and object of "the previous question," and of such motions as "to lay on the table," "to postpone definitely," or "indefinitely," and "to reconsider," which are drawn from the procedure, not of our own legislative assemblies but of assemblies in the United States. I have attempted in this treatise to give such explanations as will aid in preventing confusion or doubt in the application of these methods of procedure.

It is important to note that Bourinot did not object to the use of American motions at Canadian meetings so long as rules regarding their use were properly adopted. In his manual he frequently cited recognized U.S. authorities, such as Cushing, whom he described as "an eminent authority," Robert, though he consistently misspelled his name "Roberts," and Neely. Regarding the rules for motions that had their origin in the United States, he did, however, note emphatically: Unless the rules are made clear in every particular and there is a general reference in all cases of doubt to recognized United States authorities, like Roberts, or Neely, or Cushing, all such dilatory and subsidiary motions, as I have been reviewing in the foregoing paragraphs, can only be subject to the rules that govern all motions in Canadian parliamentary procedure and to none other.

It is also clear that Bourinot's intention was not to write a complete rule book, but rather to state "the common law of parliament, to which reference can be made by those bodies which find their own regulations insufficient to solve the questions of doubt that must constantly arise in practice." The fact that he included in the section of the book dealing with municipal councils a suggested uniform code of rules for such bodies also shows that he expected organizations to adopt their own rules and to rely on his statement of general principles and the "common law of parliament" only in unprovided cases.

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It soon became clear that the 444-page manual was too long and expensive for some of the groups that wanted to use it, so later in 1894 Bourinot prepared and Carswell published an abridged version which omitted the sections on meetings of municipal councils and church synods. This version consisted of 152 pages and was described on its title page as "An Abridgment of the Author's Larger Work." Since the 444-page manual is not well known, it is often assumed incorrectly that the author's larger work referred to is his *Parliamentary Procedure and Practice*. References in the abridged edition's footnotes to "Fourth Part" and "Fifth Part" are to the sections on "Church Synods and Conferences" and "Municipal Councils," included in the 444-page manual, but omitted from the abridged version. Footnote references to "Bourinot" are to the second edition of *Parliamentary Procedure and Practice*.

### **Parliamentary Procedure and Practice : Third and Fourth Editions**

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Bourinot had done most of the revision for a third edition of *Parliamentary Procedure and Practice* before his last illness. It was published posthumously in 1903, being edited by Thomas Barnard Flint, his successor as Clerk of the House of Commons. Flint noted in the preface that the part of the book that Bourinot had been unable to complete had "been edited and annotated along the lines suggested by him." Whereas the first two editions had been published by Dawson Brothers in Montreal, the third was published by Canada Law Book in Toronto.

A fourth edition, also edited by Flint, was published by Canada Law Book in 1916. It omitted some of the introductory historical material. Flint explained the reason for this in the preface: "The valuable historical introduction contained in the previous editions though instructive and interesting has been greatly condensed and many portions re-written, such parts only being retained as may throw light rather upon Canadian parliamentary usages than upon the general constitutional history of the country."

Flint had wanted to change the title from *Parliamentary Procedure and Practice in the Dominion of Canada* to *Procedure and Practice in the Parliament of Canada*, noting that "the work deals purely with the parliament of Canada rather than with the Dominion."<sup>3</sup> However, Lady Bourinot, who retained copyright in the work, objected to any change in the title,<sup>4</sup> and Flint, who "laid no stress on the matter" agreed not to make the change.<sup>5</sup> He sought only "to make the new edition as perfect as possible — bringing it and the notes up to date and making only such changes as experience has led me to think would make the work fully practical and useful."<sup>6</sup>

### **Parliamentary Procedure and Practice: Proposed Fifth Edition**

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Flint retired from his position in March 1918 and died on 8 April 1919. His successor as Clerk was William Barton Northrup, who served from 1918 to 1924. It was in 1922, during Northrup's term as Clerk, that the first edition of Beauchesne's *Rules and Forms of the House of Commons of Canada* was published by Canada Law Book. Arthur Beauchesne, the author, was then Clerk Assistant of the House of Commons. It was not his intention to replace Bourinot's work or the standard English authorities, but rather to produce a handbook that would provide Members of Parliament "with annotations which can be used on short notice whenever questions of procedure arise in the course of debate."

Beauchesne succeeded Northrup as Clerk of the House of Commons in 1925. Both Lady Bourinot and her son, Arthur, were soon after this date thinking of having a fifth edition of Bourinot's *Parliamentary Procedure and Practice* prepared. Arthur was Bourinot's youngest child, the younger son of his third marriage, and the only one of his children to become prominent in his own right. Arthur earned his living as a lawyer, but he had obviously inherited his father's literary and historical tastes and became well known as a poet. Although he was only nine years old when his father died, it was he, rather than the older children, who developed a strong interest in his father's life and work. He had a detailed knowledge of his father's private papers and he edited the twelfth edition of the elder Bourinot's book, *How Canada is Governed*, published by Copp Clark in 1928.

Writing to his mother on 14 January 1927, Arthur Bourinot reported that he had seen Arthur Beauchesne the day before and taken up with him the matter of a new edition of *Parliamentary Procedure and Practice*. Beauchesne thought it would take about a year to complete the work and he seemed favourably disposed to Arthur Bourinot's suggestion that he should work with him in the preparation of the new edition. Arthur Bourinot was clearly anxious to do so. He remarked to his mother that he was sure it would benefit his law practice and that perhaps he might be able, on his own, to edit any future editions. Beauchesne had suggested to Arthur Bourinot that Lady Bourinot write to Mackenzie King, then the Prime Minister, to try to get the government to guarantee a large order.<sup>7</sup> Lady Bourinot did so, and King referred the matter to the Speaker, Rodolphe Lemieux, who took it up with the Board of Internal Economy.<sup>8</sup>

The proposal to prepare and publish a fifth edition of *Parliamentary Procedure and Practice* came to nothing mainly because the Speaker, presumably on the advice

of the Board of Internal Economy, did "not feel justified in asking for a new amount in the Supplementary Estimates for this purpose."<sup>9</sup> The reason for this decision seems to have been that copies of the fourth edition had been purchased from time to time for the use of Members of Parliament and several copies were still "left on our shelves."<sup>10</sup> Even if the government or parliament had guaranteed a large order, there might have been difficulty in reaching a mutually satisfactory financial agreement between Lady Bourinot and her son on the one hand and Arthur Beuchesne on the other. Beuchesne wanted \$1200 for his work, an amount which the Bourinots considered too high. Flint had been paid only \$300 for his work on the third edition and probably not much more for the fourth. "While I think the amount paid Dr. Flint was rather low I think this amount rather high," wrote Arthur Bourinot to his mother.<sup>11</sup>

Later in 1927, a second edition of Beuchesne's *Rules and Forms of the House of Commons of Canada* was published. This no doubt made it even less likely that the government or parliament would support the publication of a fifth edition of Bourinot's work. Nor would Canada Law Book, the publisher of both Bourinot's and Beuchesne's works, have been likely to be interested in publishing a fifth edition of Bourinot, which would have competed with the second edition of Beuchesne.

In 1933, Arthur Bourinot went through the second edition of Beuchesne's work "rather carefully" and questioned whether, under the copyright law, the author had the right to quote without permission as extensively as he had from the elder Bourinot's work, even though credit was given, as it generally was. He became especially disturbed when he discovered in Part V of the book a section entitled "The Forms Necessary to Giving Validity to a Statute," which was, for the most part, the text of an opinion given by J.G. Bourinot to the Lieutenant Governor of Quebec in 1897. Although Arthur Bourinot does not note this, the opinion was published without the question to which it was a response and it was adapted to apply to the Canadian Governor General and Parliament, rather than to the Lieutenant Governor and Legislature of Quebec. No reference was given as to where the opinion had been obtained, and indeed, it was not presented as an opinion, but as a statement of fact. Lady Bourinot had died in 1930, and Arthur Bourinot outlined the situation in a confidential letter to the Royal Trust Company, which along with him, was the executor of her estate.<sup>12</sup> Some thought was evidently given to taking legal action, but in the end nothing was done. "In regard to 'Parliamentary Procedure,' [sic] we are inclined to agree with you that to take any action more cost would probably be incurred than benefit," wrote C.A. Jerry of

the Royal Trust Company to Arthur Bourinot on 30 October 1935.<sup>13</sup>

#### **A Canadian Manual on the Procedure at Meetings: (Bourinot's Rules of Order) – Reprints**

There were reprints of the abridged 152-page version of *A Canadian Manual on the Procedure at Meetings* in 1911 and 1914. The 1911 printing has the word "Reprint" on the title page, whereas the title page of the 1914 printing describes the book as a "Third Reprint." However, I have found evidence of only the 1911 reprint before that date. Perhaps the word "reprint" was used by mistake for "printing." Since the abridged version was originally published in 1894, the 1911 reprint could be correctly described as a "Second Printing" and the 1914 reprint as a "Third Printing."

Further reprints appeared in 1918 and 1924, and with them other changes took place that are somewhat difficult to explain. The 1911 and 1914 reprints were issued by Carswell, the original publisher, but the 1918 reprint (described as "Fourth Reprint") lists on the title page "McClelland, Goodchild & Stewart" as the publisher, though the Carswell copyright notice appears on the back of this page. There is no revision of the text, but changes were made in 1918 in the title, format and pagination. For the first time the title *Rules of Order* is used, the complete title on the title page being *Rules of Order being a Canadian Manual on the Procedure at Meetings of Shareholders and Directors of Companies, Conventions, Societies and Public Assemblies Generally*. Also in 1918, for the first time, the title *Bourinot's Rules of Order* appears on the cover.

Shortly after the publication of the 1918 reprint, McClelland, Goodchild & Stewart became McClelland & Stewart. The 1924 reprint lists the latter as the publisher and also as the owner of copyright in the work. The title, format, and pagination remained the same as in 1918. There must have been many printings of the 1924 version, some made in later years, though no later date is noted. There exist different copies with "Fifth Edition," "Sixth Edition," and "Seventh Edition" on the title page, and others with no reference at all to an edition or reprint. Some are printed on much heavier paper than others. The dust jackets on some are fawn; on others they are green. The references to editions are incorrect, there being absolutely no revision. All are reprints of the 1894 abridged edition.

Neither Carswell nor McClelland & Stewart has retained records which would explain the change in publisher and copyright owner. Fortunately, however, correspondence in the Arthur S. Bourinot papers throws some light on the situation. An understanding of

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Canadian copyright law of the time also helps to explain what happened.

The term of copyright under the law in force before 1924 was twenty-eight years, renewable under specified circumstances for an additional fourteen years. The author, having obtained copyright, could assign it "either as to the whole interest or any part thereof." Presumably Bourinot had assigned copyright to Carswell for the full twenty-eight-year term because the required notice on the back of the title page is in Carswell's name on both 1894 editions and on all reprints up to and including that of 1918. The first term of copyright expired on 13 April 1922, twenty-eight years after its registration by Bourinot on 13 April 1894. Copyright was registered in the original 444-page edition; this would have covered the abridged version as well, since registration gave the author the sole right to publish the work "in whole or in part."

Under section 19 of the Copyright Act then in force, it was the author, if living, or his widow, child, or children, if the author had died, who had the right to apply for renewal of the copyright for an additional fourteen years. Thus, it was Lady Bourinot, not Carswell, who made the application. There was a requirement that the title of the work be registered a second time within one year after the expiration of the original term. In fact, the certificate of "Renewal of Copyright" is dated 13 April 1923, exactly one year after the original term had expired. As with the original registration, it is the unabridged version of *A Canadian Manual on the Procedure at Meetings* that is registered. A new Copyright Act which changed the term of copyright to the life of the author plus fifty years had been passed in 1921, but it did not come into force until 1 January 1924. Thus, renewal of the copyright was necessary to cover the time period before the new Act came into effect. Once in force, copyright in all Bourinot's writings published before his death was automatically extended to 13 October 1952, that is, fifty years after his death.

In 1936, when some confusion arose because of a mistaken assumption that the copyright renewed in 1923 was about to expire, Arthur Bourinot became aware of the copyright notice in Carswell's name in the 1918 edition and made inquiries as to how McClelland & Stewart had obtained copyright in the work. A letter from the latter company to Arthur Bourinot explained that in 1918 McClelland & Stewart [actually, McClelland, Goodchild & Stewart] had made an arrangement with Carswell to print an edition of the book which McClelland & Stewart then published under the title, *Rules of Order*. The letter added that in April 1923, McClelland & Stewart made a contract with Lady Bourinot, taking over the entire publication of the book and purchasing the remaining stock from Carswell.

A copy of the April 1923 Memorandum of Agreement between Lady Bourinot and McClelland & Stewart is in the A.S. Bourinot papers. Lady Bourinot assigned copyright to McClelland & Stewart for a period of ten years. It was permissible to do this both under the Copyright Act in force in 1923 and under the new Act which came into force in 1924, the latter allowing the owner of copyright in a work to assign the right "either for the whole term of the copyright or for any other part thereof."

By the time the agreement between Lady Bourinot and McClelland & Stewart was about to expire, Lady Bourinot had died and the copyright was in the name of the estate, the executors of which, as noted earlier, were Arthur Bourinot and the Royal Trust Company. The agreement was renewed for another ten years from 24 March 1933. Correspondence in the A.S. Bourinot papers indicates that there was a further renewal from 24 March 1943 to the end of the term of copyright on 13 October 1952.

An unsolved mystery remains regarding a reprint of the complete 444-page edition of *A Canadian Manual on the Procedure at Meetings*, which, on the title page, lists McClelland & Stewart as the publisher. Because Carswell's original 1894 notice required by the Copyright Act then in force appears on the back of the title page, cataloguers and bibliographers have sometimes assigned the date, 1894, to this reprint. Clearly, this is incorrect because McClelland & Stewart did not exist in 1894. It seems probable that the reprint was issued shortly after the publication of the 1918 reprint of the abridged version, which was printed by Carswell and published by McClelland, Goodchild & Stewart. The name, McClelland & Stewart, came into use later in 1918; a probable date of publication of the McClelland & Stewart reprint of the 444-page edition is 1918 or 1919. The 1923 agreement between Lady Bourinot and McClelland & Stewart related to both the complete and the abridged editions, but the company chose to reprint only the shorter version, having found no demand for the larger one. The 1933 agreement mentioned only *Rules of Order*, the title McClelland, Goodchild & Stewart had adopted in 1918 for the shorter version.

#### **Bourinot's Rules of Order: Second Edition**

*Bourinot's Rules of Order* entered the public domain in October 1952; McClelland & Stewart no longer had the exclusive right to publish it. Clearly there was a continuing interest in the book, sales being steady throughout the years that it had been available. It was a good idea to consider having a new edition prepared not only because much of the information and especially the



citations in the footnotes were badly out of date, but also because a new edition, revised and updated, could be protected by copyright.

Shortly before the copyright in the work expired, there were discussions between McClelland & Stewart and Leon J. Raymond, Clerk of the House of Commons, concerning the possibility of his preparing a revised edition.<sup>14</sup> An internal memorandum dated 9 June 1952 to J.G. McClelland records a meeting in Ottawa between Raymond and a representative of the publishing company. Apparently this was not the first approach to Raymond because the memorandum notes that he had not been able to do any work on the revision for the past year, but that he had expressed an interest in preparing it, and expected to have more time during the coming year. There was a further approach to Raymond in April 1953, seeking to make an agreement with him in the hope of bringing out a new edition in the spring of 1954. No record exists in the McClelland papers of a reply from Raymond. However, between that time and the beginning of 1955, some work was done, probably by the editorial staff of McClelland & Stewart, on a revised edition. Because Bourinot had included as examples of rules of order those of specific associations and labour organizations, Sally Newman, Associate Editor of McClelland & Stewart, telephoned or wrote to officers of various organizations to obtain up-to-date information, requesting "a copy of your constitutional rules, and any by-laws or amendments relating to the conduct of meetings."<sup>15</sup> The replies indicate that she received the requested documents from several of them. It appears that the part of the book dealing with company meetings was submitted to a person qualified to judge whether it needed much updating and that it was revised by him. In December 1954 – January 1955, there was some correspondence between J.G. McClelland and George Stephen, Clerk of the Legislative Assembly of Saskatchewan, regarding the possibility of Stephen's supervising the revision, on which preliminary work had been done. Nothing seems to have come of this. Perhaps the publication of Arthur Beauchesne's book, *Procedure at Meetings in Canada*, by Canada Law Book in 1954 had some effect on the failure of McClelland & Stewart to proceed with the revision of *Bourinot's Rules of Order* at that time. The main problem seems, however, to have been the difficulty in finding a qualified person with the time and the interest to undertake the revision.

At last in November 1961 a suitable person was found. A handwritten memorandum dated the 4th of that month notes that Gordon Dubroy had agreed to proceed with the revision and directed the preparation of a contract. The manuscript of the second edition of *Bourinot's Rules of Order*, "revised by J. Gordon Dubroy, Second Clerk

Assistant: House of Commons," was received by McClelland & Stewart in September 1962 and the book published the following year. The original author's name is incorporated into the title not only on the cover, but also on the title page, thus making *Bourinot's Rules of Order* the official title of the book. It is a much shorter book than the abridged version of the first edition partly because, instead of updating the footnotes, the second edition simply omits them. The rules of the Canadian Labour Congress are given as "an illustration of the nature of the rules in vogue among such organizations and their affiliates," but much less attention is paid to this type of material than in the first edition. References to specific American authorities disappear, and there is much less emphasis on the use of American motions.

On the back of the dust jacket of the second edition of *Bourinot's Rules of Order* are comments by Davie Fulton, Stanley Knowles, and J.W. Pickersgill, then prominent members of the Conservative, New Democratic, and Liberal parties respectively. The comments of Fulton and Pickersgill illustrate the confusion that exists regarding Bourinot's *Parliamentary Procedure* and *Rules of Order*. Fulton is quoted as saying "I am delighted to learn that a new edition of Bourinot's *Parliamentary Procedure* has been prepared." Of course, the new edition was of *Rules of Order*, not *Parliamentary Procedure*. According to Pickersgill, "Bourinot's *Rules of Order* has been throughout the years the 'Bible' of the House of Commons." Bourinot's *Parliamentary Procedure* may have been its Bible, but his *Rules of Order* was never intended for use by the House of Commons. Only Stanley Knowles understood that it was the manual, not the large work on parliamentary procedure, that had been revised and published. The book, he stated, "relates the theory and practice of parliamentary procedure to the requirements of meetings of all kinds, large and small."

A French translation of the second edition, called *Bourinot: Règles de procédure* was published by Les Éditions La Presse in 1972. The translator was Réginald-L. Boivin, Chief of the French Journals Section of the House of Commons.

### **Bourinot's Rules of Order: Third Edition**

The second edition of *Bourinot's Rules of Order* was sufficiently popular to warrant the preparation of a third, which was published by McClelland & Stewart in 1977. Unlike the first two editions, the third was prepared not by a person with experience in legislative procedure, but by one more familiar with procedure at other types of meetings. Geoffrey Stanford, a Torontonion, had already written a book called *The Conduct of Meetings*, published in 1958 by Oxford University Press in Toronto and

reprinted several times. He therefore had no difficulty in writing about "Rules and Usages for Assemblies Generally," but his knowledge of the parliamentary basis of these rules and usages and of Canadian company law, both of which were needed to update *Bourinot's Rules of Order*, seems to have been limited to what he had read in the second edition of that work. He copied statements from that edition which were correct when published in 1963, but were no longer true in 1977.<sup>16</sup> The manuscript should have been checked by persons experienced in legislative procedure and with company meetings before being published. However, since the book is not generally used at company meetings, Wainberg's *Company Meetings including Rules of Order*, being more suitable, and since the section on the parliamentary basis of rules and usages is of interest mainly as background material, these mistakes have had little effect on the use of the book. The third edition has been reprinted several times, most recently in 1991.

It is somewhat ironic that *Bourinot's Rules of Order* is most widely used by municipal councils, although the section on meetings of these bodies was omitted from the abridged version of the work back in 1894. The reason for the book's popularity with municipal councils is, however, easily explained. Most of them adopt their own rules of order, often called a procedure bylaw, and rely on Bourinot only in unprovided cases. Although other types of organizations also use the book, those which want a complete rule book are more likely to adopt the well-known American authority, *Robert's Rules of Order Newly Revised*, or an earlier edition of this work. Another possible choice is a recent Canadian book, Kerr and King's *Procedures for Meetings and Organizations*.♦

## Notes

1. *Toronto Tribune* (undated newspaper clipping in Bourinot Scrap Book, MG 1, Vol. 147, p. 211, in the Public Archives of Nova Scotia). Anglin was Editor of the *Toronto Tribune*. Bourinot identified him as the author of the review.
2. *The Argus*, Melbourne, Australia, 9 August 1884 (Public Archives of Nova Scotia, Bourinot Scrap Book, MG 1, Vol. 147, p. 204).
3. National Library of Canada, A.S. Bourinot Papers, T.B. Flint to Henry Aylen, 9 October 1915. Aylen, a lawyer, who was married to Desirée Elise (Daisy), daughter of J.G. Bourinot and his second wife, Emily Pilsbury, was representing Lady Bourinot, his step-mother-in-law, in negotiations with Canada Law Book regarding the publication of the fourth edition.
4. A.S. Bourinot Papers, Isabelle Bourinot to Henry Aylen, 16 September [1915].
5. *Ibid.*, Flint to Aylen, 9 October 1915.
6. *Ibid.*
7. *Ibid.*, A.S. Bourinot to Lady Bourinot, 14 January 1927.
8. *Ibid.*, Isabelle Bourinot to Mackenzie King, 26 January 1927 (Draft); Rodolphe Lemieux to Mackenzie King, 29 January 1927; Mackenzie King to Lady Bourinot, 1 February 1927.
9. *Ibid.*, Rodolphe Lemieux to Mackenzie King, 6 April 1927.
10. *Ibid.*
11. *Ibid.*, A.S. Bourinot to Lady Bourinot, 14 January 1927.
12. *Ibid.*, A.S. Bourinot to the Royal Trust Company, 3 April 1933. The opinion referred to was published in Beauséne, *Rules and Forms*, 2nd ed., 1927, pp. 343-5. It had also been published in the 1st edition, 1922, at pp. 272-4. It was repeated in the 3rd edition, 1943, pp. 357-9, but not as a separate section in later editions, though some of the statements in the section appear elsewhere in the later editions. For instance, although those who prepared the sixth edition are no doubt unaware of it, some of the wording in the section on "Royal Assent" appeared originally in J.G. Bourinot's 1897 opinion. See *Beauséne's Rules and Forms of the House of Commons of Canada*, 6th ed. by Alistair Fraser, W.F. Dawson, and John A. Holtby (Toronto: Carswell, 1989), 218, especially the last two paragraphs. The original opinion given by J.G. Bourinot to J.A. Chapleau, Lieutenant Governor of Quebec, along with Chapleau's letter, is contained in a volume entitled *Opinions and Questions of Parliamentary and Constitutional Procedure*, by J.G. Bourinot, presented by A.S. Bourinot to the Public Archives of Nova Scotia. The volume consists mainly of handwritten and typescript opinions on a variety of topics. Handwritten notes by A.S. Bourinot on the opinion given to Chapleau indicate its inclusion in Beauséne's *Rules and Forms*.
13. The letter is in the A.S. Bourinot Papers.
14. Information on the preparation of the revised edition is contained in Jack McClelland's papers in the McClelland & Stewart Archives, Mills Memorial Library, McMaster University. For directing me to this material I am grateful to Alvin L. Potter of McClelland & Stewart. I also express my thanks to Jack McClelland for giving me permission to see his papers, and to Charlotte Stewart-Murphy and Carl Spadoni of Mills Memorial Library for making them available to me.
15. The wording is used in several letters written by Sally Newman in August 1953 and preserved in the McClelland Papers.
16. For examples of this and other comments on the third edition, see "Book Review: Bourinot's Rules of Order," by Margaret A. Banks, *Parliamentary Journal*, vol. xix, no. 3 (July 1978), 33-5.