

Western Grain Transportation Act

I submit that those are the two principles involved, each dealing with an entirely different matter—although the Government may want to relate them—and each capable of standing on its own merits. Not only that, Mr. Speaker, but it is possible that Members of the House might want to support one of the principles while opposing another of the principles.

In order that Members of the House may do their job properly on behalf of their constituents, they must be able to vote freely on second reading, which is approval in principle, without voting to do something they do not want to happen or voting against something that would automatically require that something they want would be defeated.

There is a third principle contained in Bill C-155 which speaks directly in Part VI to the disposition of the Canada coal lands. I would like to submit again that just as the principle which applies to the management and development of the railroad can and should stand on its own, and just as the principle relating to the tariff to be paid by the farmers for the movement of grain can and should stand on its own, the disposition of the Canada coal lands is in no way related to the freight rate which will be charged for the movement of grain. Nor, for that matter, is it related to the redevelopment of the railroad system. Therefore, we now have not two but three distinctly different principles.

• (1115)

I put to you, Sir, that that quite clearly is within the definition as set out by Erskine May on Page 380, which definition I read to you at the beginning of my remarks, when he said that a complicated question can only be divided if each part is capable of standing on its own. I submit to you that that test is clearly met by the argument which I am making. There is no one in the House who would deny that if the Government wanted to move ahead with legislation to determine how the Dominion coal lands should be handled, as a matter of principle, the Government could bring forward a piece of legislation to do that, and that could be dealt with by each Hon. Member of the House of Commons and voted upon according to how that Hon. Member believed the proper disposition of that should be achieved.

Therefore I say to you, Mr. Speaker, that we are faced with a dilemma, that is, that if the Government persists in attempting to push this particular Bill to second reading in its present form, the Government will be requiring Hon. Members of the House of Commons to vote for or against three matters of principle which are not related, three matters of principle which the Hon. Members may quite justifiably feel cannot be dealt with properly by one vote.

I would like to point out to you, if I may, that this matter has come up previously in a variety of different ways—

The Acting Speaker (Mr. Corbin): Order, please. I regret to have to interrupt the Hon. Member. The Chair has been listening attentively to the argumentation being made by the Hon. Member and I do not want to put that argumentation in question in any way, shape or form. The Chair, however, is

concerned with the matter of the process. In the opinion of the Chair, at this stage the House is considering an amendment which would have the effect, if it carried, to have for all practical purposes the Bill die or withdrawn. In the opinion of the Chair, that matter ought to be disposed of in the first instance.

However the House disposes of the question now before the House on the amendment, the Hon. Member would be quite right in raising the argumentation which he has already begun this morning. In the Chair's opinion, however, that argumentation should not be made at this time but following the disposition of the amendment which is now before the House for consideration.

Therefore, I would ask the Hon. Member to postpone his argumentation, to wait for the disposal of the amendment which, if carried, would have the effect in any case of losing the Bill as far as the Government is concerned. At that time the Chair will listen to the Hon. Member's argumentation and take it under advisement. I will hear the Hon. Member for Hamilton Mountain (Mr. Deans).

Mr. Deans: I very much appreciate the point raised by the Chair. However, I would point out that if the amendment were carried, it would be carried as the result of a vote. The argument holds whether it be the amendment, Sir, or whether it be the main motion. It can be disposed of by only one vote. It is not only possible but is a fact without question that certain parts of the Bill, even as a result of the amendment, could be defeated without that necessarily being desirable. For example, as you say, if the amendment to the motion were to carry, the Bill would fail. The three principles of the Bill would then have failed and the fact is that the three principles stand separately, in my opinion and that of my colleagues, and I hope in the opinion of other Members. Therefore to have defeated them would require that you defeat something you are in favour of.

• (1120)

Mr. Smith: Nothing new about that.

Mr. Deans: Which is exactly the point I am trying to make, and I appreciate the Chair for assisting me in this way. It is true that if the amendment is defeated, then the Bill continues for further discussion. Of course, at that point there could be further discussion on the point I am making. But we cannot and may not prejudge the outcome of the vote on the amendment. We are not permitted to do that. We have to assume that the amendment might well carry, and if it did, the Bill would be defeated and with it would go clauses of the Bill which Members would have wanted to vote for.

So I urge that you consider that aspect since I think the Chair has quite well made the point I have been trying to make.

The Acting Speaker (Mr. Corbin): Order. The Chair is taking the various points raised by the Hon. Member under advisement on a continuing basis. In the Chair's opinion, one