

Northern Ontario Pipe Line Corporation

of order in that sense. The chairman takes the responsibility of permitting or asking, as the case may be, members of the house to assist him with their advice and it is his—that is, it will be my—responsibility to decide when that stage has passed. The hon. member for Prince Albert.

Mr. Diefenbaker: Mr. Chairman, I start by reverting to the motion made by the Prime Minister, that at this sitting of the committee of the whole house on Bill No. 298 the further consideration of clauses 1, 2, 3, 4, 5, 6, and 7, the title of the said bill and any amendments proposed thereto shall be the first business of this committee and shall not be further postponed.

Now, sir, I listened to the Prime Minister today with all the interest which the prestige of the position he occupies demands, and I feel that in the course of his argument he realized how specious that argument was when he endeavoured to show that further consideration of clauses 5, 6 and 7 could take place when they had never been considered.

I ask the Prime Minister, through you, not believing at this time that there is any prospect of any change in his view, nor am I any more hopeful than if a seed were dropped on a glacier that it would become productive, but I do make this appeal on the basis of all the authority of British tradition. All the authority of British tradition is that this has never been done in a British parliament except in 1932, and then how different the matter was to the one now before this committee.

I am no authority on the rules, and I say that to begin with, but I have gone through all the British *Hansards* and gathered all the instances in the last 100 years. I have four of them here but I am not going into the details. I shall simply place them before the committee. To begin with, I say that never in all British history under a parliamentary system have the rules been juggled as they have in this case or have the rules been changed as it were between innings.

I go back nearly 60 years and start with the Ireland bill in 1901; then there was the education local authority bill in 1904; the military service bill in 1916, and the tithe bill in 1918. In every one of those cases motions were made similar in nature, that further consideration be postponed, and in every case the ruling was that there was no authority under British tradition for such a course to be followed.

Today the Prime Minister paid a tribute to our system and the need of preserving parliament. I say to him that the responsibility

[The Deputy Chairman.]

cannot be dissolved by saying that the majority is with him in the stand he has taken. Parliament and the preservation of its prestige are paramount to a pipe line or to a prime minister frustrated. In every one of the cases to which I have referred, and I have the authorities here, the hon. gentleman occupying the position that you now occupy decided without question against any similar move being made. It is interesting to read what some of the participants in that debate had to say. At that time they did not report verbatim but rather in narrative form, and I refer hon. members to volume 139, page 1220 of the British *Hansard* for 1904, at which time Mr. Lloyd George was taking part in the debate on the education local authority bill. I quote:

Lloyd George joined in the debate and stated that "It surely was the duty of the chairman to protect the minority in this respect. It was obvious that the object in thus drafting the bill with only one section was so as to be able to closure it in one motion."

And later:

Again Lloyd George warns the Prime Minister, A. G. Balfour, that everything had been compressed into a single clause in order that the matter might be rushed through.

But parliament decided otherwise through the chairman. I am not going to do other than simply state as a member of this house that I have gone through British *Hansard* and I find that never has such a devious course been accepted at any time. The mere ruling that the words "that further consideration be postponed"—I ask the Prime Minister, through you, if he would advance the argument in the Supreme Court of Canada that further consideration be postponed with regard to something that had not been considered? I am going to quote one who has a distinguished son as a member of this cabinet. In 1932 the late Right Hon. Ernest Lapointe, the leader from the province of Quebec whose successor is the Prime Minister, had this to say as reported on page 1497 of *Hansard* for that year:

It means that parliament is being asked to abrogate its position as the predominant factor in legislation. It means that we are being asked to agree to be dragged at the wheels of the Prime Minister and to make parliament an appendage of the executive.

Mr. Harris: He was not talking about closure.

Mr. Diefenbaker: I will read it all.

This attitude of the Prime Minister makes our duty to resist this legislation more imperative.