

Speaker's Ruling

house, but that the amendment of the leader of the opposition suggested that it be referred to a committee. As I stated this morning, if a matter is referred to a committee that committee reports back to the house, so in any event it would be before the house.

The hon. member for Lake Centre (Mr. Diefenbaker) referred to May, thirteenth edition, at page 390, which is referred to in Beauchesne, third edition, as citation 657. I will agree with the hon. member that this amendment, to the extent that it relates to the circumstances under which the bill has been introduced, is correct; but I think it goes further than that. The Minister of Justice has pointed out that the amendments referred to by the hon. member for Winnipeg North Centre and the hon. member for Lake Centre, which were allowed, were in each case sub-amendments relating to amendments. They were related to an amendment then pending.

In view of all I have said I can perhaps sum it up by saying that the proposed amendment in part relates to circumstances attending the introduction of the bill. It would therefore appear to be admissible under citation 657 of Beauchesne. However, in part it also amounts to a motion of censure of the government on substantially the same basis as did a previous amendment moved during this debate, upon which the house has already reached a decision by a recorded vote. I would refer hon. members to citation 357 of Beauchesne, third edition, which reads:

No amendment shall call in question a principle on which the house has given a decision by its vote on a former amendment.

Since the proposed amendment is defective in part I must rule the amendment as a whole out of order.

Mr. Knowles: Your Honour will appreciate that I regret doing so, but I must appeal your decision.

Mr. Speaker put the question as follows:

On the motion for second reading of Bill No. 144, an act to amend the Combines Investigation Act, Mr. Knowles moved, seconded by Mr. MacInnis, the following amendment:

That Bill No. 144 be not now read a second time, but that it be resolved that in the opinion of this house the circumstances connected with the introduction and prosecution of this measure, namely, the action of the government in seeking amendments to the Combines Investigation Act, for the stated purpose of strengthening the enforcement thereof, at the very time when it has just been discovered that the Minister of Justice, with the approval of the government, has deliberately violated section 27 of the said act, is an affront to parliament, and that further consideration of this bill should be deferred until this house, by this amendment, has censured the government for violating the said act by failing to make public until November 7, 1949, the report of the commissioner under the said act with respect to the flour milling

industry, which was submitted to the Minister of Justice in its final form on February 23, 1949, and which he was required by law to make public not later than March 10, 1949.

I ruled that the proposed amendment amounted to a motion of censure of the government on substantially the same basis as the previous amendment moved in this debate, upon which the house had already reached a decision by a recorded vote, and that though this proposed amendment was in part admissible it was out of order as a whole. From my ruling, the hon. member for Winnipeg North Centre appealed.

The house divided on the question: Shall the Speaker's decision be sustained? And the decision of the Chair was sustained on the following division:

YEAS

Messrs:

Abbott	Fournier (Maisonneuve-Rosemont)
Applewhaite	Fulford
Ashbourne	Garland
Bater	Garson
Beaudry	Gauthier (Lake St. John)
Belzile	Gauthier (Sudbury)
Benidickson	Gauthier (Lapointe)
Bennett	Gauthier (Portneuf)
Black (Chateauguay-Huntingdon-Laprairie)	George
Blanchette	Gibson (Hamilton West)
Blue	Gingras
Boisvert	Gingues
Boivin	Gosselin
Bonnier	Gour (Russell)
Boucher	Gregg
Bourget	Harris (Grey-Bruce)
Bradette	Healy
Bradley	Hellyer
Breithaupt	Helme
Brisson	Henderson
Brown (Essex West)	Henry
Bruneau	Hetland
Byrne	Hosking
Cameron	Howe
Campney	Huffman
Carroll	Hunter
Carter	Isnor
Cauchon	Jeffery
Cavers	Jutras
Clark	Kent
Claxton	Kickham
Cleaver	Kirk (Antigonish-Guysborough)
Cloutier	Kirk (Digby-Yarmouth)
Conacher	Lafontaine
Corry	Laing
Cote (Verdun-LaSalle)	Langlois (Berthier-Maskinonge)
Cournoyer	Langlois (Gaspé)
Croll	Lapalme
Barroch	Lapointe
Dechene	Larson
Decore	Leduc
Dewar	Lefrancois
Dickey	Leger
Dion	Lesage
Dube	Little
Dumas	Macdonald (Edmonton East)
Elderkin	MacDougall
Eudes	MacKenzie
Eyre	MacLean (Cape Breton North and Victoria)
Fauteux	
Follwell	
Fournier (Hull)	

[Mr. Speaker.]