

Northern Ontario Pipe Line Corporation

Mr. Fleming: He asked for indulgence to be heard.

Mr. Drew: He had no right to be heard at all.

Mr. Fleming: The ruling had been made that it could not be debated.

Mr. St. Laurent (Quebec East): This was before the ruling had been made; this was on a point of order.

Mr. Fleming: The Chair had ruled that the motion was not debatable and nobody could speak on the motion. He asked the indulgence to speak.

Mr. Rowe: Indulgence for one side and no indulgence for the other. That is this parliament.

Mr. St. Laurent (Quebec East): The following day, as hon. members will remember, was another very frustrating day and the government came to the conclusion that the only effective course open to it was to follow the precedent of 1932 which was the most recent and seemed to us the most pertinent case in which standing order 33 had been applied. At that time it was standing order 39 but it was readopted during the course of last session in its present form. Lawyers admit that it is a principle that when a statute is being consolidated and the language which has been acted upon has been construed, that construction, if it is not acceptable, is avoided by making some change in the form of the rule.

There was no change made in the form of this rule. On that occasion a motion similar to the motion I have proposed was made by Mr. Bennett, who was then Prime Minister and whom I would expect hon. gentlemen of the official opposition would accept as one having great authority, both as a lawyer, and as one having proper respect for the rights of parliament. But what is even more important to us on this side of the house is that when points of order similar to those suggested by the hon. member for Kamloops were raised by the leader of the U.F.A. party, Mr. Gardiner, Mr. King, to whom gentlemen opposite have been making very frequent references, especially on these questions of closure, did not see fit to join in attempting to support those points of order, and the house adopted the motion submitted by Mr. Bennett. It seemed to us that that was the most recent precedent and that it was a valid precedent upon which we could rely.

Mr. Diefenbaker: Had not consideration been given for several days to the matter before closure was adopted?

[Mr. St. Laurent (Quebec East).]

Mr. St. Laurent (Quebec East): There had been several days' consideration given to a resolution that was on the order paper, because it was argued very strenuously during many days that that resolution would not lead to any effective legislation.

Mr. Diefenbaker: Argued for many days?

Mr. St. Laurent (Quebec East): Finally there was a notice of closure made to bring that resolution to a vote, and hon. gentlemen will remember that at that time the motion that the Speaker leave the chair for the house to resolve itself into the committee of the whole was a debatable motion. As soon as that motion was adopted, and the form of resolution, about which they had been complaining as not apt to lead to any effective legislation, was changed and something quite different was substituted for it—when that was done, their objection having been met, the resolution was adopted—at an hour that very closely resembled one that we witnessed on that clock not so very long ago, 4.42 a.m., and the bill was read a first time.

Mr. Knowles: The clock had better be kept wound up, too.

Mr. St. Laurent (Quebec East): Then a bill that was quite different from that which had been foreshadowed in the resolution was put before the house. Yes, the resolution provided for a bill to amend chapter 58 in order to replace the word "March" by the word "May". Whilst the resolution that was finally adopted provided for a bill which became the Unemployment and Farm Relief Act, which contained three clauses—

Mr. Diefenbaker: After many days.

Mr. St. Laurent (Quebec East): —that could become operative. That bill got its second reading on division and went into committee. I am sure the hon. gentleman has read—perhaps more than once, as I have done—the whole debate that took place there.

Mr. Diefenbaker: I have also counted the days.

Mr. St. Laurent (Quebec East): I did not count the days, because the first notice for closure was made on March 23, at the time the house was rising for the Easter recess, and the house did not meet again until March 29, and it was on March 29, 30 and 31 that the proceedings on the bill were discussed and that on a closure motion they were disposed of. That is what occurred at that time.

There can be no question that no clause of that bill had been referred to the committee. The hon. gentleman had submitted, in support of his point of order, that before the clauses are before the committee they have to be individually called. They certainly