

MARCH 29, 1932

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that. The amendment has been declared carried.

Mr. MACKENZIE (Vancouver): By what procedure, Mr. Chairman, was it carried?

The CHAIRMAN (Mr. Hanson, York-Sunbury): By yea and nay vote.

Mr. MACKENZIE: I was never asked to record my vote on this amendment, Mr. Chairman. I rise, sir, to another point of order. I say in the first place that the amendment moved was not a proper amendment, but you have ruled against that. In the second place, on account of your putting the question so expeditiously, Mr. Chairman, hon. gentlemen on this side of the house have not yet been accorded the courtesy of having a vote on this particular motion, and I ask as a matter of courtesy and consideration—it may seem surprising to ask it at this late date—that the question be renewed.

The CHAIRMAN (Mr. Hanson, York-Sunbury): The hon. gentleman has asked for something that does not take place in committee. There is no recorded vote in committee.

Mr. LAPOINTE: There is a standing vote.

Mr. MACKENZIE KING: I think we have the right to ask for a vote if we wish to have it.

The CHAIRMAN (Mr. Hanson, York-Sunbury): Yes.

Mr. MACKENZIE KING: We do that now.

Mr. GARDINER: I rise to a point of order, Mr. Chairman. Did not the Prime Minister move and the Minister of Justice second a motion that this house go into committee of the whole to consider the resolution?

The CHAIRMAN (Mr. Hanson, York-Sunbury): Yes, that was carried in the house, and we are now in committee to consider the resolution.

Mr. GARDINER: My point of order is that the Minister of Justice, having seconded the motion that the house resolve itself into committee of the whole, cannot move an amendment.

The CHAIRMAN (Mr. Hanson, York-Sunbury): I rule against the hon. member. The motion does not even require a seconder.

An hon. MEMBER: Can he amend his own motion?

The CHAIRMAN (Mr. Hanson, York-Sunbury): Those in favour of the amendment will please rise.

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Mr. GARDINER: Mr. Chairman—

Mr. GUTHRIE: Who is in charge of this committee, the chairman or someone else? Put the question.

Mr. GARDINER: What is your ruling?

The CHAIRMAN (Mr. Hanson, York-Sunbury): Is the hon. member bringing up another point of order?

Mr. GARDINER: What is your ruling on my point of order? I cannot hear at this end of the chamber.

The CHAIRMAN (Mr. Hanson, York-Sunbury): My ruling is that the point of order is not well taken, because the motion does not require a seconder; therefore I rule against it. Further, the point of order is not well taken because I do not understand that Mr. Guthrie did second the main motion. At all events, he is entitled to move an amendment.

Mr. GARDINER: Mr. Chairman, it is quite evident you did not understand my point of order.

Some hon. MEMBERS: Oh, oh.

Mr. GARDINER: Very well, I shall stand here until order is restored in the committee. My point is that the Prime Minister moved, seconded by Mr. Guthrie, that the house resolve itself into committee of the whole to consider this resolution. Having seconded the motion to go into committee of the whole, I submit that according to the rules of the house the Minister of Justice is not permitted to move an amendment to the resolution.

Mr. GUTHRIE: What rule is that? There is no such rule.

The CHAIRMAN (Mr. Hanson, York-Sunbury): The motion of the Prime Minister was before the house; this is a motion in committee. We have now reached the committee stage, and therefore I rule that the amendment is in order. Those in favour of the amendment please rise.

Amendment agreed to: yeas, 101; nays, 62.

The CHAIRMAN: I declare the amendment carried, and the question is on the main motion as amended.

Mr. MACKENZIE KING: I should like to ask my right hon. friend a question. When we were debating what came to be chapter 58 of the statutes of Canada 1931, exception was taken by the opposition to the fact that as the time fixed for the expiration of the act was March 31, in all probability parliament would be in session at the time, and we would

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