

Northern Ontario Pipe Line Corporation

house, which are clearly spelled out in our standing orders as always in order, and there are no strings attached to that fact.

Mr. Byrne: Mr. Speaker, you made your ruling on Thursday last, at which point you said that a motion to adjourn is a dilatory motion, that is, that when a motion to adjourn is made a question must be under consideration. For a matter to be under consideration, the members must be prepared to fix their minds on it with a view to careful examination, that is, they should be prepared to think on it with care.

The question at the moment is not debatable, that is, the motion that is before the house is not debatable. A division simply is being taken. Therefore members are not to rise. They must hear the Speaker in silence. The other day the hon. member referred—

Mr. Fleming: Filibuster.

Mr. Byrne:—to citation 104 of *Beauchesne*, third edition, which reads in part as follows:

The Speaker is responsible for the due enforcement of the rules, rights and privileges of the house, and when he rises he is to be heard in silence.

Mr. Fleming: Liberal filibuster.

Mr. Sinclair: Envy will get you nowhere.

Mr. Byrne: This matter has been gone into quite thoroughly and it is quite clear who may move a motion for adjournment. A member who has moved adjournment of the house is not entitled to move the adjournment of the debate as he has already spoken to the main motion which in effect means that he can only rise and move the adjournment if a matter is under consideration and if he has spoken on the question he cannot move the adjournment of the debate. It simply means that there is no matter before the house for consideration so the member is completely out of order when he moves the adjournment of the house at this time.

Mr. Speaker: Before the hon. member for Kamloops rises, he is probably looking at page 332 of *Bourinot* where he will find precisely what I wanted to quote to him and to the hon. member for Winnipeg North Centre. It is not very pleasant for me to make this ruling because I find that I am correcting a ruling that I made not very long ago which I consider wrong. If *Bourinot* is right, then I would say that whenever there is a controversy between *Bourinot* and *Beaudoin* I will take *Bourinot* any day.

But I would like hon. members to consider this. *Bourinot* is dealing with dilatory motions and under "motions of adjournment" he says:

When any question is under the consideration of either house, a motion to adjourn will always be in order. The 39th rule provides . . .

[Mr. Knowles.]

Then he reads the 39th rule which is our present standing order 25. Its purpose is the same as what is provided in standing order 24, which has to do with a motion to proceed with the orders of the day. It is a superseding motion. Mr. Speaker Sevigny—or Rhodes—in 1917 said that standing order 24 had to be read in conjunction with standing order 44. Of course, the rules did not bear the same numbers then. He said:

That rule must be read in connection with rule 36, which I will read, as applying to this case.

* "When a question is under debate no motion is received unless to amend it" . . .

And so on. That is standing order 44. Perhaps the climate is not as good as it might be in order to make a point that appears new in view of the fact that I have so recently given a ruling which is at variance with the one I should like to make at the moment. I am not going to press the point now. I would imagine that another occasion will present itself and we will have more time in the meantime in order to examine the point further. It seems to me to be unreasonable for the one rule to defeat the other. According to our rules we have a stated definition that a motion for leave to introduce a bill has to be decided without debate or amendment. All that is permitted is a succinct explanation when a bill is introduced after 48 hours' notice and that is not the type of bill that is preceded by a resolution concurred in by the house.

If a motion of that type is not debatable, how can anyone stand up and even utter one word to say: I move such and such a motion. As I say, I will not make a ruling. I will accept the hon. member's motion and I will put it to the house. I hope that after this one is dealt with we will either go home to have a good rest or we will proceed with the next step.

The house divided on the motion (Mr. Knowles) which was negatived on the following division:

YEAS

Messrs:

Aitken, Miss	Fairclough, Mrs.
Argue	Fleming
Balcer	Fraser (Peterborough)
Barnett	Fulton
Bell	Green
Blair	Hamilton (Notre Dame de Grace)
Bryce	Hamilton (York West)
Bryson	Harkness
Cameron (Nanaimo)	Hees
Campbell	Hodgson
Castleden	Howe (Wellington-Huron)
Charlton	Johnson (Kindersley)
Churchill	Jones
Coldwell	Knight
Dinsdale	Knowles
Drew	
Ellis	