

Division

Knowles (Winnipeg
North Centre)
Knowles (Norfolk-
Haldimand)
Korchinski
Rowland
Ryan
Rynard
Saltsman
Scott
Simpson
Stanfield
Stewart
(Marquette)
Tétrault
Thomas
(Moncton)

Messrs:
Peters
Ricard
Ritchie
Rodrigue
Rose
Thompson
(Red Deer)
Thomson
(Battleford-
Kindersley)
Valade
Winch
Woolliams
Yewchuk—89.

NAYS

Messrs:
Lessard
(Lac-Saint-Jean)
L'Heureux
Lind
Loiselle
Macdonald
(Rosedale)
MacEachen
MacGuigan
Mackasey
McBride
McIlraith
Mahoney
Marceau
Marchand
(Langelier)
Marchand
(Kamloops-
Cariboo)
O'Connell
Osler
Otto
Pelletier
Pepin
Perrault
Portelance
Prud'homme
Reid
Richard
Richardson
Robinson
Rochon
Rock
Roy (Laval)
Sharp
Smith
(Northumberland-
Miramichi)
Smith
(Saint-Jean)
Stewart
(Cochrane)
Sulatycky
Sullivan
Thomas
(Maisonneuve-
Rosemont)
Tolmie
Trudel
Turner
(London East)
Turner (Ottawa-
Carleton)
Wahn
Walker

Allmand
Andras
Badanai
Barrett
Basford
Bécharde
Beer
Blouin
Boulanger
Breau
Buchanan
Caccia
Cafik
Chappell
Chrétien
Clermont
Comtois
Corbin
Côté (Richelieu)
Côté (Longueuil)
Crossman
Cullen
Cyr
Danson
Deachman
De Bané
Dupras
Duquet
Énard
Faulkner
Forest
Forget
Foster
Gendron
Gervais
Gibson
Gillespie
Guay (St. Boniface)
Hellyer
Hogarth
Howard (Okanagan
Boundary)
Hymmen
Isabelle
Jamieson
Jerome
Kierans
Lachance
Lafamme
Laing
(Vancouver South)
Lajoie
Laniel
La Salle
Leblanc (Laurier)

LeBlanc (Rimouski)
Legault
Lessard (LaSalle)
• (3:00 p.m.)

Watson
Whicher
Whiting—101.

Mr. MacInnis: Mr. Speaker, I rise on a point of order. In order that we may better interpret the rules of the House, I would ask Your Honour to rule whether the vote of the hon. member for Sudbury (Mr. Jerome) ought to be considered.

Mr. Speaker: I will consider the question. It is my impression that the hon. member is alluding to the fact that the hon. member referred to may have left his seat while the vote was being taken. Of course that does not disenfranchise the hon. member. However, I suggest to hon. members that the rule is clear. Hon. members should not leave their seats while a vote is being taken. This is a matter of order and the standing order is well known to all hon. members. Is the hon. member for Yukon rising on a point of order?

Mr. Nielsen: Mr. Speaker, I rise on a point of order with respect to the rule of this House which requires the Crown to produce a document to which reference has been made in a proceeding of the House. It will be recalled that in answer to the first question of the Leader of the Opposition the Acting Prime Minister described the report in the *Gazette* as being inaccurate in at least one respect in that the words "the Gray report" were used. The Acting Prime Minister asserted, inferentially, that in the cabinet document no such reference was present.

• (3:10 p.m.)

In my submission it is a well known rule of the House that when a minister of the Crown refers to a document in a proceeding of the House the Crown is obliged to produce that document and to table it. The reasons for that rule are very apparent. I would like to cite for Your Honour's consideration the relevant paragraphs in Beauchesne's *Parliamentary Rules and Forms*, Fourth Edition, 1958. At page 134 the following is set forth in paragraph 3 toward the bottom of the page:

It has been admitted that a document which has been cited ought to be laid upon the table of the House, if it can be done without injury to the public interest. The same rule, however, cannot be held to apply to private letters or memoranda.

The paragraph goes on—

An hon. Member: Read it properly.

Mr. Nielsen: If the hon. member would read the rules he might be able to follow the argument. I recommend that citation to Your Honour. I also refer Your Honour to Bourinot's *Parliamentary Procedure* where at page 337 the following is set forth:

It is a parliamentary rule that when a minister of the Crown quotes a public document in the House, and founds upon it an argument or assertion, that document, if called for, ought to be produced.

The paragraph goes on:

The rule respecting the production of public papers, quoted by a minister of the Crown, is necessary to give the House the same information he possesses, and enable it to come to a correct conclusion on a question.

[Mr. Speaker.]