

Procedure and Organization

Mr. Macdonald (Rosedale): Mr. Speaker, the hon. member should not misrepresent my position. The motion the other day was moved by him but with the consent of this side of the house. I hope he would not attempt to misrepresent our actions.

Mr. Knowles (Winnipeg North Centre): Mr. Speaker, let the President of the Privy Council (Mr. Macdonald) not try to misrepresent what happened in parliament and is on the record. The government supported the motion we made, and that is why it was carried, but it was not moved by the consent of the President of the Privy Council.

Some hon. Members: Hear, hear.

• (3:20 p.m.)

Mr. Knowles (Winnipeg North Centre): It was moved on the authority of rule 42(1), and thank heavens we are not yet in a position that we can do only those things which are consented to by the President of the Privy Council.

I submit that it is at least a surprise to me and others that the President of The Privy Council would ask the Speaker of this house to make a ruling, on this difficult day, which differs from the ruling he made last Thursday. The statement he made on that occasion would indicate that the government did not mind the motion made at that time whereas they are actually opposed to it today. This casts a doubt on their position at this time.

I submit that the right to make a motion of this kind has been clearly established, and perhaps the best ruling on it in recent years, if you will consider 1951 as relatively recent, is the ruling given on December 20 of that year by Hon. Ross Macdonald, who was then our Speaker and is now the Lieutenant Governor of Ontario. On that occasion I had moved a rather odd motion, I admit, but this is what I moved:

That this day's sitting of the house continue without the usual intermission at one o'clock p.m. and at 6.15 o'clock p.m., and that the house shall not be adjourned at ten o'clock p.m. this day.

This was a motion which our friends in the opposition did not like on that particular day. They raised points of order against it. The ruling given by Mr. Speaker Macdonald, was not made immediately. In other words, he had his assistants at the table do some research so he could make a ruling which would have some substance. He did make a ruling, as recorded at page 2257 of *Hansard*

for December 20, 1951, and this is what he said:

Mr. Speaker: On the question of order, may I say that I have listened to what has been said. As has been pointed out, other motions have been made in this house respecting the hours or time of sitting without previous notice having been given.

This is the position taken by the hon. member for Calgary North (Mr. Woolliams). The quotation continues:

In Beauchesne's second edition in citation 34, I observed the following:

"No notice is required for a motion relating to 'the times of meeting or adjournment of the house'. (S.O. 45)".

That is what was said, and this had to do with the motion as to the time of the adjournment of the house. This is as clear as it could be. Mr. Speaker, Ross Macdonald went on to say:

Standing Order 45 has been referred to by a number of members. The citation goes on to say:

"The word 'times' is translated by 'heures' in the French version of S.O. 45. It seems therefore that if a motion does not relate to the hour but to the day at which the house is to sit or adjourn, a notice must be given."

The motion before the house does not refer to a day. It relates to the hour.

Mr. Speaker Ross Macdonald was referring to my motion of December 20, 1951, but the same comment applies to the motion now before the house from the hon. member for Calgary North. It applies equally to the motion I made last Thursday afternoon. Let me continue the quotation which states:

Mr. Drew: Mr. Speaker, without interrupting you, may I make a comment on that point which you have raised?

Some hon. Members: No.

I wonder who they were? The quotation continues as follows:

Mr. Drew: I would point out, Mr. Speaker, that you have touched on the very point that is in issue on this motion. It is quite clear that if this motion goes through the house will not adjourn. For that reason I submit, on the very point you made, Mr. Speaker, this motion is not tenable under the reference which has been given.

Mr. Speaker: If the motion referred to days, I would agree with the leader of the opposition that it would not be in order. May I read the motion.

"That this day's sitting of the house continue without the usual intermission at one o'clock p.m. and at 6.15 o'clock p.m., and that the house shall not be adjourned at ten o'clock p.m. this day."

It distinctly says that this motion refers to this day only. I am satisfied that this motion refers to time and not to days. Citation 34 in Beauchesne's second edition goes on to say:

"See decision given by Speaker Rhodes on May 21, 1920".