

*Transportation*

from making any inquiry of this nature for at least two years and the railway companies would be prevented from making application for a hearing for at least two years. Therefore, if we are to have this provision in clause 15 (1) (e) it would perhaps be an improvement if a similar provision were in clause 74 so that the minister and the transport commission could not initiate such an investigation for at least two years.

This does not change the argument that has been advanced by the hon. member for Bow River and the hon. member for Winnipeg North Centre, namely, that it would appear that the objective contained in section 329, on which the committee has made its decision, and that contained in clause 74 are so identical that we need to consider very carefully the reintroduction of this principle or we will violate the rule that disallows the reintroduction of essentially the same subject matter in the same session.

**Mr. Woolliams:** Right.

**Mr. Churchill:** Mr. Chairman, I want to deal specifically with the problem before us and the rule which I think is being violated, but may I first make an introductory remark or two. Last week I read what I thought was a very interesting and amusing article by Mr. Charles Lynch in which he mentioned that he was a watcher. He said that in the mornings he watched Mao in China, and in the afternoons he watched Right Hon. John G. Diefenbaker and reached conclusions with regard to both gentlemen. He acknowledged the error in his conclusions with regard to both. I am a watcher but I watch, morning, noon and night, the Minister of Transport.

**Some hon. Members:** Oh, oh.

**Mr. Churchill:** I have been doing this for years.

**Mr. Pickersgill:** Not at night, thank heaven.

**Mr. Churchill:** I have warned my colleagues about this. I find it an interesting occupation. It consumes quite a bit of time. But I have always paid tribute to the Minister of Transport in that he keeps us alert because he is quite sharp. I am not going to say he is tricky; I will not use that word. His movements are rapid and sometimes are concealed from casual view. Therefore we have to be very alert in the House of Commons. We have to examine with care what he puts in front of us. We have to listen carefully to

[Mr. Olson.]

his words, because sometimes there is an additional meaning that is not noticeable to those who are not following the debate very carefully. Therefore, as I have said before, I shall miss him when he goes to the Senate. He keeps me young here in the house because I am constantly mentally alert watching what he is doing.

○ We have watched the minister in regard to this matter. Last night when the amendment was introduced we carefully reserved our position and said we would have to study it overnight to see whether it was satisfactory. That is why we did not immediately challenge the amendment. The minister, very kindly—and he can be quite a good parliamentarian on occasion—said: Well, we will stand this matter until tomorrow.

That is the situation in which we find ourselves. We have made our examination, we have studied the rules, and we are approaching the subject today. I hope there will be no complaint, sir, about our spending time on this particular rule. There are people who criticize and say that now and again the house gets involved in procedural wrangles, as they call them. We are dealing today with one of the fundamental rules affecting parliament. I believe that this rule has a history of 350 years. Just because a rule is old it is not necessarily good, but this rule has been renewed and re-emphasized during the last three and a half centuries so there must be some substance to it.

● (4:50 p.m.)

If you examine it even casually I think you will see that parliament could not operate if a decision reached by the house could be almost immediately reversed on the basis of a slip on the part of a member of one party or another or because additional members were available an hour or two after a vote was taken. If decisions could be reversed easily then parliament would gradually lose a great deal of its importance. I make no apology at all for entering this debate or for asking the committee and the chairman to give this matter careful consideration.

When I was explaining yesterday why I moved the amendment in respect of section 329 in short form I indicated that there was complexity involved and that I selected a short form with the expectation that the minister and his officials would bring forward any substitution required. It was my expectation that the substitution to be brought forward by the minister would apply only to section 329, subsection 4, which was the one