

be moved as an amendment, but must be distinctly the subject of a motion. The amendment now before us is substantive. I think without doubt it is a substantive motion, and therefore is not in accordance with the rules of the house.

The Prime Minister has quoted the Consolidated Revenue and Audit Act, sections 49 and 50, which state:

49. The auditor general shall report annually to the House of Commons the result of his examination and audit of the accounts of Canada in such manner as will exhibit the true state of each account at the termination of the fiscal year last ended.

50. (1) The reports of the auditor general shall be laid before the House of Commons by the minister on or before the 31st day of October, if parliament is then sitting or if not sitting, then within one week after parliament is next assembled; provided that if the minister does not, within the time prescribed by this section, present to the House of Commons any report made by the auditor general, the auditor general shall forthwith present such report.

The position we are in to-day is that under the act as it stands at present the auditor general's report is not in the possession of the house, and cannot be submitted to the house by the terms of the act; and, moreover, as I stated when dealing with the former amendment, the committee of itself has power to obtain all that is being asked for on the floor of the house to-day. Witnesses can be summoned before the committee, and can there be interrogated. Any member may move in the committee that the scope of the reference be further enlarged and a report applying for further powers may be made to the house.

For the reasons I have already given, although this is only part of the original amendment, it is irregular because both parts were out of order. And while I stressed in my former ruling the investigation as something which should not be done, and which would create, if allowed, a dangerous precedent, yet I have no doubt in my mind that this amendment is also out of order. The present amendment was incorporated in the first part of the original amendment, and therefore I rule it out of order.

The question is now on the main motion.

Mr. JOHNSTON (Bow River): I wish to say a few words—

Mr. MacINNIS: Mr. Speaker, with regret I have to appeal against your ruling. I cannot now go into my reasons, but I must appeal against it.

The house divided on the question: Shall the Speaker's decision be sustained? And the decision of the Chair was sustained on the following division:

YEAS

Messrs:

Black (Yukon)	McGarry
Bradette	McGeer
Brunelle	McGibbon
Casselman, Mrs.	McIlraith
(Edmonton East)	McIvor
Cleaver	MacKinnon
Corman	(Edmonton West)
Crerar	McKinnon (Kenora-
Cruikshank	Rainy River)
Dechene	McLarty
Donnelly	MacLean (Cape Breton
Dubois	North-Victoria)
Edwards	McLean (Simcoe East)
Emmerson	McNiven
Evans	(Regina City)
Farquhar	Martin
Fournier (Hull)	Mathews
Furniss	Maybank
Gardiner	Mayhew
Gershaw	Michaud
Gibson	Mitchell
Gladstone	Mulock
Golding	Nixon
Goulet	O'Neill
Graham	Pinard
Grant	Poirier
Gregory	Ralston
Hanson (Skeena)	Reid
Henderson	Rennie
Howden	Ross (Calgary East)
Hurtubise	Ross (Moose Jaw)
Ilisley	Sanderson
King, Mackenzie	Sissons
Kinley	Slaght
Kirk	Taylor
LaFlèche	Tripp
McCann	Turgeon
McCubbin	Veniot
Macdonald (Halifax)	Ward
Macdonald	Weir
(Kingston City)	Whitman
McDonald (Pontiac)	Winkler—78.

NAYS

Messrs:

Adamson	Hlynka
Bence	Jackman
Black (Cumberland)	Johnston (Bow River)
Blackmore	Knowles
Boucher	Lacombe
Bruce	Leader
Casselman	MacInnis
(Grenville-Dundas)	MacKinnon
Castleden	(Kootenay East)
Coldwell	MacNicol
Desmond	Marshall
Diefenbaker	Neill
Dorion	Noseworthy
Douglas (Weyburn)	Perley
Fair	Quelch
Gillis	Ross (Souris)
Graydon	Senn
Green	Shaw
Harris (Danforth)	Stirling
Hatfield	Stokes
Hazen	Wright—40.