

suggest, be no more out of order than others which would impose a cost on railway companies. Therefore I do not believe the amendment is out of order on those grounds.

• (5:10 p.m.)

For this reason I am concerned about the ruling that the amendment is beyond the scope of the whole bill because there are other parts of the bill to which this amendment, or a modification of it, could more properly be moved. I suggest, for instance, new section 314E which deals with claims, the right to claim, the determination of claims, the payment of claims and so on. But even that new section I suggest deals with claims made for costs incurred in the continuance of a branch line; it does not deal with claims which may arise as a result of the abandoning of a branch line. So perhaps this amendment would also be beyond the scope of what is contained in new section 314E. Therefore, while I am in some measure in agreement with the ruling that the amendment is beyond the scope of new section 314D, I take exception to that part of the ruling that it is beyond the scope of the whole bill and beyond the scope of the resolution preceding the bill. I do so because of the other argument I advanced a few moments ago.

I would hope, Mr. Speaker, that your ruling would be in line with the chairman's ruling to the effect that the amendment is beyond the scope of this clause but that you would rule it is not beyond the scope of the bill for this kind of subject matter to be introduced in an appropriate place.

Mr. Bell (Saint John-Albert): Mr. Speaker, I do not wish to add to your difficulty, but I take it that the procedure at the moment is under provisional standing order 59(4). The chairman has ruled on this matter and has made his decision on another ground than the financial aspect. He has virtually said that the financial argument does not apply. I am wondering whether in hearing this appeal you have the right to go back into this matter. That is one subject you will have to consider. I should like to refer to the argument of the minister that the amendment is presented at the wrong place in the bill and has application to the wrong clause. I believe we have been moving here and there in the bill because of the difficulty of renumbering. Therefore I suggest that the argument concerning where the amendment is introduced in the bill is not applicable.

It appears to me that the main argument centres around the scope of the bill. Mention

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has been made of the resolution itself. I feel that our consideration of the bill has been very broad. Subjects have been introduced such as the Combines Investigation Act. New sections have been placed right in the middle of the bill. I suggest that the bill is very broad and comprehensive. Therefore so far as the scope is concerned I feel it would be very difficult to rule the amendment out on that ground.

Mr. Speaker: If there are no further arguments to be advanced for the guidance of the Chair, perhaps I might be permitted to give a ruling at this point. By way of introduction the hon. member for Winnipeg North Centre referred to the general reluctance of hon. members to appeal under the provisions of the provisional standing order which provides for an appeal from the chairman of the committee of the whole to the Speaker. Certainly this is a standing order which is difficult of application. Be that as it may, I believe it is the duty of the Chair to accept its responsibility in spite of the fact that the standing order may be difficult in respect of its application.

If I may refer first to the argument of the hon. member for Saint John-Albert, he questioned the possibility of the Chair ruling on the second aspect of the argument which was advanced in committee, that is, the financial provisions of the bill. I do not think it is necessary for me even to refer to this. As I understand the ruling, it is not actually based on that argument. The chairman said he had no doubt in respect of it and went on to base his ruling on other procedural aspects of the matter.

The hon. member for Winnipeg North Centre based his argument mainly on the contention that the amendment comes within the scope of the bill itself. The Minister of Transport has argued against this and has suggested that in his view the essence of the proposed amendment does go beyond the terms of the clause itself and also beyond the terms of the bill.

The hon. member for Medicine Hat goes half way. He suggests that the amendment although it is beyond the terms of the clause, should not be ruled out of order because it does not go beyond the purport of the whole bill. Obviously there are arguments which could be advanced both ways in respect of the positions taken by the hon. member for Winnipeg North Centre and the hon. member for Medicine Hat as well as in respect of the argument advanced by the Minister of Transport.