

offer a reward to the person who commits the most perfect murder?

* * *

[English]

CRIMINAL CODE

DATE OF CABINET DECISION TO ABOLISH CAPITAL PUNISHMENT COMPLETELY—CONSTITUTIONALITY

Right Hon. J. G. Diefenbaker (Prince Albert): Mr. Speaker, my question is directed to the Prime Minister. I would like to ask the Prime Minister on what date the cabinet decided to bring a bill before the House to abolish capital punishment totally? On what date did the cabinet make that decision, which was announced a few days ago by the Solicitor General?

Right Hon. P. E. Trudeau (Prime Minister): Mr. Speaker, the question was brought before the cabinet by the Solicitor General in the last two weeks. I cannot give the exact date at the moment. I could, of course, check it out if it were relevant.

Mr. Diefenbaker: It is very relevant.

Mr. Trudeau: The right hon. member asks me to check it out. I will check it out.

Mr. Diefenbaker: I would ask the Prime Minister whether he can let the House know when previously a constitutional monstrosity like this was perpetrated on the House of Commons, it having had a lengthy debate on a bill introduced with the support apparently of the entire cabinet, and then suddenly—

Mr. Reilly: Boo!

Some hon. Members: Oh, oh!

Mr. Speaker: Order, please. May we have order, please. I think hon. members would want to co-operate with the Chair.

Mr. Reilly: Mr. Speaker, I rise on a question of privilege.

Mr. Speaker: The hon. member rises on a question of privilege.

Mr. Reilly: I have listened enough to the destructive arguments of the hon. member for Prince Albert. I will hear no more. I will sit here and boo every time he opens his mouth.

Mr. Diefenbaker: Mr. Speaker—

Mr. Speaker: Order, please. I am sure the House can proceed in an orderly fashion. All hon. members, including the right hon. member, have the right to ask questions and should be allowed that right without interference.

Mr. Diefenbaker: Thank you, Mr. Speaker. There is no convention in my constituency tonight.

Some hon. Members: Hear, hear!

Oral Questions

Mr. Diefenbaker: I ask the Prime Minister this simple question. When previously over the years has a government, having unanimously given support to a bill introduced in the House, subsequently during the progress of that bill decided to do the reverse of that which it supported only a few days earlier?

Mr. Trudeau: Mr. Speaker, I have the impression that the right hon. gentleman is reserving to himself the right of raising points of order on this. If indeed it is a constitutional monstrosity, it would be interesting to hear him put a point of order and argue it.

LEGALITY OF PROPOSAL BY SOLICITOR GENERAL TO ABOLISH CAPITAL PUNISHMENT COMPLETELY—POSSIBILITY OF WITHDRAWAL

Mr. Eldon M. Woolliams (Calgary North): Mr. Speaker, I would like to ask the Solicitor General a question along the same lines. Has the minister asked his legal officers for an opinion on whether his suggested amendment to abolish capital punishment completely is destructive of the principle of Bill C-2 which provides for partial abolition, and has the government now approved or retreated from that position, so that we may know and can get on with the work in the committee?

Hon. Warren Allmand (Solicitor General): Mr. Speaker, I have consulted with my legal officers. They have told me that the amendment is in order. I might say that a similar amendment was moved in 1967 in committee of the whole to a similar bill. If it was in order in 1967 I presume it is in order today. I am not retreating on the amendment.

● (1430)

Mr. Woolliams: Mr. Speaker, I should like to raise a point of order at this time.

Mr. Speaker: Order, please. I will, of course, hear the hon. member, but I trust that the point of order is not related to the procedural acceptability of an amendment which may or may not be introduced in a committee of the House. I think that would be somewhat irrelevant at this point. The matter is not even before the House. The matter would be before a committee and it is not the Speaker who would be required to judge whether or not that amendment was acceptable, it would be the chairman of the committee. So the matter is still a long way from coming to the House for consideration, if it ever does come to us for consideration.

Mr. Woolliams: Mr. Speaker, may I make this point of order. I should like to quote from Erskine May at page 494. First of all, let me say that the principle of the bill was set out in Bill C-2 and the principle was—

Mr. Speaker: Order, please. I will hear the hon. member but it seems to me so obvious, evident and elementary that we should not be discussing here a point of order on the procedural acceptability of an amendment that is not before the House and which, as I understand it, is not even before the committee. I would think the hon. member would want to argue the point which he proposes the Chair should consider at this time in the committee. I have