

Procedure and Organization

Mr. McCleave: I submit that we should not really be saying that we are substituting one motion for another, that we are substituting a motion which asks the house to adjourn at an unspecified time for a previous motion saying that the house shall adjourn at a specified time. The argument that no second motion "to the same effect" shall be put is really irrelevant because there never was a motion in the first place which was decided by this chamber. I think this is an important distinction we ought to consider.

Mr. G. W. Baldwin (Peace River): Mr. Speaker, I rise with great trepidation, having hoped that the irrefutable logic of the sweetly reasoned arguments of hon. gentlemen who preceded me would be accepted. In any event, one might argue that there ought to be unanimous willingness on the part of all concerned to accept the motion on the basis that the mood of the house at this time is not conducive to the transacting of further business. However, since I do not see the dawning light of acceptance in the eyes of hon. members opposite I hope to make my argument to Your Honour in support of the point of order raised by the hon. member for Winnipeg North Centre (Mr. Knowles). I do so in the hope that this on-the-job training for the government which is now taking place may be of benefit.

Some hon. Members: Hear, hear.

Mr. Baldwin: My authorities for making this argument are the two standing orders in question. The hon. member for Calgary North (Mr. Woolliams) moved a motion and the hon. member for Winnipeg North Centre moved an amendment to it under Standing Order 42(1). But the motion the house is now considering is the one that has been moved under Standing Order 25. That in itself is significant. If the original motion of the hon. and learned member for Calgary North which the hon. member for Winnipeg North Centre sought to amend had been accepted, it would have meant that debate would have continued until a specified time. That was the intent of the motion.

The hon. member's reason for moving the motion is plain. It frequently happens that if there is debate up to a specified time the house may arrive at a conclusion with respect to the matter then before it. Bearing that in mind the hon. member moved that the house do adjourn at a certain time. If the motion had been accepted right away it would have meant that we could have further debated the

[Mr. McCleave.]

issues before the house for approximately another hour and a half.

The motion proposed by the hon. member for Lotbinière (Mr. Fortin) is the type that comes before the house most frequently, and I think Your Honour is entitled to take judicial notice of the way motions are moved under Standing Order 25. For instance, when the house is discussing clauses of a bill and a motion has been put to adjourn debate on one clause, another similar motion following that one cannot be properly put until there has been an intermediate stage. Normally that means that we must move from one clause to the discussion of another clause. With great deference I suggest that a neat distinction must be drawn between the two motions which have come before the house. Consequently, the motion offered by the hon. member for Lotbinière should be put. In any event I point out to Your Honour that we have had an intermediary stage and it might well meet the convenience of the house if the motion were put at this time.

Mr. Speaker: I wonder whether there is much point in having hon. members pursue the matter further. Of course, I have indicated to hon. members that I do not wish to restrict their rights to speak on this important point of order. Is the hon. member for Skeena (Mr. Howard) rising on the point of order?

Mr. Frank Howard (Skeena): Mr. Speaker, I simply wanted to draw to your attention, and this is quite apart from any reference to intermediate proceedings and entries in the *Journals*, that a distinction must be drawn between any motion which asks the house to adjourn at a specified time, say at 5.30, and the motion proposed by the hon. member for Lotbinière (Mr. Fortin). Since Standing Order 42(1) says that a motion under the Standing Order to adjourn the house may be put, it is necessary to establish a time for adjournment when one moves a motion under that Standing Order because there are references in it to times of meeting and adjournment of the house. With respect, Standing Order 25 makes no reference to the time of adjournment. It merely speaks of a motion to adjourn.

I submit that because there is this distinction, Standing Order 42(1) in effect saying that there must be a specified time for adjournment and Standing Order 25 saying that you do not need a specified time, Your Honour can make the determination that the two motions the house is considering are different and not "to the same effect", and