

Northern Ontario Pipe Line Corporation

Furthermore, at page 527 of May, you find the passage which has been quoted to us before which says:

The calling of a clause by the chairman brings it under the consideration of the committee, but does not entitle a member to speak generally upon the clause—

And so on.

It is clear that you, sir, have to call the clauses before they can be under the consideration of the committee, and remember, the words of the closure rule are "postpone the further consideration of these clauses".

Then coming to a Canadian authority, I refer you to Bourinot at pages 521 and 522:

The preamble is also postponed in both houses until after the consideration of the clauses. The bill is then considered clause by clause. The chairman usually calls out the number of each clause, and reads the marginal note, but he should give the clause at length when it is demanded by the committee. He will then put the question, "shall the clause be adopted," or "stand part of the bill". Each clause is a distinct question, and must be separately discussed.

There is no question on the basis of the authorities, both English and Canadian, that clauses must be called and put before the committee by the chairman before it is possible to argue that in fact they have been before us for consideration.

Now, as to the basis of what was done in this house and the authorities applicable here, I have already referred to the one case in 1913 and the two in 1917. I would like to refer you, sir, to the statements made by the Right Hon. Arthur Meighen in the year 1913 when the closure motion was exhaustively discussed in this house. To Mr. Meighen has sometimes been attributed the authorship of the closure rule. Whether or not that is so I do not know but I have noticed that on one occasion he denied it. However, it is universally admitted that he clearly understood its application, he was a sound parliamentarian, he knew how to apply it, and he knew all the formalities that had to be observed in its application.

We find in column 9359 of *Hansard* for the session of 1912-13 the following statement from Mr. Meighen. When Mr. Meighen was discussing this very point of order he said:

... there is really no such thing as adjourning a debate in committee; it is the consideration that must be postponed in committee, as he will find in May.

Then he went on to discuss the basis of the closure rule and said as follows:

... the very basis of these new rules is that there shall hereafter be an order of consideration in committee, and that a bill shall be considered after this, clause by clause. That is the underlying principle of the new rules. Whether there has been an order of consideration in committee or not, there must be hereafter, in order to make the new rules intelligible.

[Mr. Fulton.]

We have not had clauses 5, 6 or 7 before us for consideration and yet the Prime Minister is trying to make this motion apply to the whole bill and all the clauses in committee.

Again Mr. Meighen said, as reported in columns 7535 and 7536 of *Hansard* for 1912-13, when dealing with this subject—here is the question. I will read the question and the answer in extenso:

Mr. German: Could they not give notice as to the whole bill and stop the discussion on every clause?

Which is what the government is trying to do here.

Mr. Meighen: This is what can be done: clause 2 is under discussion, say for two weeks or three weeks or five weeks—

And I pause there to say how very different from what we have had here; clauses 1, 2 and 3 under discussion for one day; clauses 5, 6 and 7 not even called; clause 4, for a day and a half—but Mr. Meighen went on:

... for two weeks, or three weeks or five weeks, as would suit hon. gentlemen opposite; clause 2 is under discussion and the motion to postpone the consideration of that clause is made. Then it would be in order I would think, for the committee to pass to clause 3, and clause 3 would then have to be discussed and a separate motion would have to be made as to clause 3.

Then I go down a little further:

A motion is made that consideration be postponed on one clause; then, after the other clause has been discussed, another motion is made, of course all within the responsibility of the government, that the consideration of that be postponed. Then notice is given that the clauses so postponed be on a certain day not further postponed. That is to say, notice is given that a motion will be made on some subsequent date stated, that the consideration of these clauses, so postponed, be not again postponed, and these clauses then must be taken up on that day.

The motion is clearly applicable only to the clauses that have been postponed.

The Deputy Chairman: I am sorry to have to interrupt the hon. member. I permitted him to complete his quotations but he has exceeded his 30 minutes.

Mr. Fulton: Mr. Chairman, do you rule that in committee on a point of order there is a time limit of 30 minutes?

The Deputy Chairman: Yes. My recollection is that this matter came up about a week ago. I find that the standing order says that no member except the Prime Minister and the Leader of the Opposition shall speak for more than 30 minutes at any time in any committee of the whole house. I know of nothing to the contrary and I rule that that applies to any member, even though he be arguing a point of order.