

I would refer honourable Members also to citation 310 of *Beauchesne*, third edition, which says:

It is not imperative for the Minister of Justice or the Solicitor General to reply to questions seeking information upon legal points arising out of measures before parliament or relating to matters of public interest. They are the legal advisers of the government and in that capacity are confidential officers, and nothing could be more inconvenient than that they should be liable to be interrogated by members as to the advice they have given or may be called upon to give to any department of government, or as to their opinion upon the construction of a statute or other document, or upon abstract questions of law which need to be judicially determined.

The honourable Member for Kamloops further asked me, and I quote his words as they appear at page 6179 of *Hansard* for July 15, 1955:

Therefore I ask you, sir, under the precedent of citation 445 in *Beauchesne*, second edition, to see that the necessary order is made discharging this order so that another return in corrected form may be brought down.

May I say immediately that in my view never at any time can the Speaker make an order discharging an order of the House. The only way to discharge an order of the House is for a Member to move that an order be discharged. Of course, in this case, one cannot move to discharge an order which has already been executed. Citation 395 of *Beauchesne's* third edition tells us that once a document has been placed on the table and recorded in the Journals, it becomes the property of the House. An action to discharge an order for return must be made before the return is to be tabled on the same basis as, according to citations 665 and 666 of *Beauchesne's* third edition, motion to discharge orders affecting the progress of bills are made.

Furthermore, a motion to discharge an order is similar to a motion to withdraw and would have to be made, I believe, according to standing order 53, by unanimous consent of the House. The honourable Member referred to citations 445 and 450 of *Beauchesne's* second edition which are citations 388 and 389 of *Beauchesne's* third edition. These citations refer to specific cases where information sought has not all been provided or where information having been sought was not given. It states how the House asserts its authority to obtain satisfaction for the fulfillment of its orders. The wording of these citations is taken from *May*. If honourable Members look at *May*, either the thirteenth edition at pages 621 and 622 or the fifteenth edition at pages 256 and 258, honourable Members will find that at the bottom of the page there are footnotes which refer to the Journals and *Hansard* from which these specific cases were extracted. I took the trouble, and found it very interesting, to go into the Journals of 1834, 1835, 1841, 1876 and 1820, and also *Hansard* for these various periods. I find that the House ordered certain officers to produce certain documents. In one case it was the clerk of the peace of Carnarvon. The reason the clerk was not producing the documents was because he felt the expense for producing such document should be paid by the House, whereas a member suggested it should be paid by the Member who moved the motion. In another case, the man involved was a witness who had appeared before a committee and had refused to produce a book which was in his possession.