

*Combines Investigation Act*

delay in the second reading of the bill. I heard him say distinctly that it would not interfere with or cause any delay in the second reading of the bill. It is in reference to his statement made while sponsoring the amendment now before the Chair that I am using this metaphorical language.

It is quite easy to take Beauchesne, Bourinot or May and quote precedents that date back for scores of years and bore the Chair and the house in so doing. In my opinion a little time could well be taken to make a common-sense comparison. Instead of quoting a dusty Bourinot, a dusty Beauchesne, a dusty May or any of this dusty stuff, I want to appeal to the intelligence of the house; I want to do that rather than weary the exhausted memories of hon. members. We have had enough of that. Let us consider this matter like human beings and not like book-worms.

In making my comparison I am appealing to the intelligence of the house. A building is afire and the firemen want to get there as quickly as possible, but what are we to think when it is found that a pile of rocks and timber has been placed right at the door of the fire station to prevent the fire truck from going out? That is just what the hon. member for Lake Centre has done; that is what the hon. member for Winnipeg North Centre is doing now, and for purely political reasons. They do not want the government to go ahead with this legislation.

**Mr. Diefenbaker:** Mr. Speaker, I should like to make one short reference to the dusty precedents the hon. member has referred to. I am sure that if my hon. friend shortly becomes a judge of the Supreme Court of Canada, as some expect he will, he will not be talking about dusty precedents but will be following them.

**Mr. Pouliot:** I am glad I called my hon. friend a gentleman.

**Mr. Diefenbaker:** I have acted as such when referring to my hon. friend.

I refer particularly to May at page 390 as a basis for my submission that the amendment of my hon. friend is in order. There is no way in which what is stated on pages 390, 391 and 392 can be read except that it favours the amendment in question. My hon. friend referred to the various amendments moved at the time of the customs scandal investigation, and that is one example. Again in 1872, and this has not been changed since—

**Mr. Speaker:** I have not May before me, and I do not know what section the hon. member is referring to.

**Mr. Diefenbaker:** This reads:

It is also competent to a member who desires to place on record any special reasons for not agreeing to the second reading of a bill, to move, as an amendment to the question, a resolution declaratory of some principle adverse to, or differing from, the principles, policy, or provisions of the bill; or expressing opinions as to any circumstances connected with its introduction or prosecution—

Then turning to page 392—

**Mr. Garson:** Is that all of it?

**Mr. Diefenbaker:** I shall read it all, if you like. It continues:

—or otherwise opposed to its progress; or seeking further information in relation to the bill by committees, commissioners, the production of papers or other evidence, or, in the Lords, the opinions of the judges. The principle of relevancy in an amendment governs every such proposed resolution, which must, therefore, "strictly relate to the bill which the house, by its order, has resolved upon considering."

Then there is cited as an interpretative case the case to which I referred this morning, which came up in 1857, when the Palmerston government was defeated as a result of an amendment very similar in terms to the one now moved by my hon. friend. I quote from page 392:

It must be borne in mind, however, that the resolution, if agreed to, does not arrest the progress of the bill, the second reading of which may be moved on another occasion.

That answers the hon. member for Temiscouata. No impediment is being placed in the way of passing these amendments; it is merely an expression of the attitude toward the government or any of its ministers in relation to the subject matter of the bill. I continue:

The effect of such an amendment is merely to supersede the question for now reading the bill a second time—

The word "now" is in italics. And then later:

The house refuses, on that particular day, to read the bill a second time, and gives its reasons for such refusal: but the bill is not otherwise disposed of.

And again:

Thus the amendment to the second reading of the Conspiracy to Murder bill, in 1857,—

This is the bill to which I made reference this morning:

—being also a vote of censure—

What is the difference between this present amendment and the one that I moved and the one moved by the leader of the opposition? —being also a vote of censure, was not only fatal to that measure, but caused the immediate fall of Lord Palmerston's ministry.

The wording of the amendment of the hon. member for Winnipeg North Centre (Mr. Knowles) falls within citation 657 of