

Hon. Royce Frith (Deputy Leader of the Opposition): Honourable senators, before the vote is taken I would like to note that this is supposed to be a free vote. The doors have been locked. We should not require the whips to come down the aisle for every vote. Let us vote on whatever there is to vote upon. It is not a party-line vote. Let us get the voting done.

Hon. Orville H. Phillips: The rule book states specifically that the vote will be taken after the whips come—

Senator Frith: You are the last one who should be raising that point.

An Hon. Senator: When did you find that rule?

Senator Frith: Nice try, but not even close to a cigar.

Senator Barootes: You are not going to lock us out, are you?

Senator Frith: I am trying to lock you in, senator, not out.

The Hon. the Acting Speaker: Will those honourable senators in favour of the motion in amendment please say “yea”?

Some Hon. Senators: Yea.

The Hon. the Acting Speaker: Will those honourable senators who are against the motion in amendment please say “nay”?

Some Hon. Senators: Nay.

The Hon. the Acting Speaker: In my opinion, the “nays” have it.

And two honourable senators having risen.

The Hon. the Acting Speaker: Please call in the senators.

Motion in amendment negated on the following division:

YEAS

THE HONOURABLE SENATORS

Adams	LeBlanc
Austin	(<i>Beauséjour</i>)
Buckwold	Lewis
Cools	Lucier
Davey	Marchand
Everett	Marsden
Fairbairn	Neiman
Gigantès	Olson
Grafstein	Perrault
Hastings	Petten
Hays	Spivak
Hébert	Stanbury
Kenny	Stollery
Kinsella	Turner
Kirby	Waters—29

[The Hon. the Speaker.]

NAYS

THE HONOURABLE SENATORS

Atkins	Lavoie-Roux
Barootes	Lefebvre
Balfour	Lynch-Staunton
Beaudoin	MacDonald
Beaulieu	(<i>Halifax</i>)
Berntson	Macdonald
Bolduc	(<i>Cape Breton</i>)
Buchanan	Meighen
Carney	Molgat
Castonguay	Murray
Chaput-Rolland	Nurgitz
Cochrane	Oliver
Cogger	Ottenheimer
Comeau	Phillips
David	Poitras
DeWare	Riel
Di Nino	Robertson
Doody	Roblin
Doyle	Ross
Forrestall	Rossiter
Frith	Simard
Graham	Sylvain
Grimard	Teed
Kelleher	Tremblay
Kelly	Twinn—49
Keon	

ABSTENTIONS

THE HONOURABLE SENATORS

Bosa	Haidasz
MacEachen	Thériault
Corbin	Johnson
Stewart	van Roggen—8

The Hon. the Acting Speaker: I declare the motion in amendment negated.

The Hon. the Acting Speaker: It was moved, honourable senators, by the Honourable Senator Haidasz, P.C., seconded by the Honourable Senator Corbin:

That Clause 1 of Bill C-43 at page 1 thereof be amended by striking line 10 thereof and substituting therefor:

“imprisonment for a term not exceeding ten”.

The Hon. the Acting Speaker: Please call in the senators.

Senator Frith: Honourable senators, I thought, when I proposed that it would not be necessary to call in the members, that the question would be put. Your Honour need simply say, “All those in favour of the amendment will please rise.” We assume that all honourable senators have been called in.

Senator Phillips: Honourable senators, that was the opinion of Senator Frith. It was not the opinion of those on this side of the house.