

would apply; but if it were held to be sound, then it is not applicable in this situation because it is clearly distinguishable.

As I have said, the only precedents for the situation we have now with respect to closure are four, and they are three to one against the government. Let us look at the other three, the one case of 1913 and the two of 1917, the only other occasions upon which closure was applied to a bill in committee of the whole. In 1913 it was on the naval construction bill; in 1917 one case was the war-time elections act and the other case was the Canadian National Railways bill. In each one of these cases all the clauses of the bills had been called and had either been adopted by the committee or had their consideration postponed by the committee before the closure motion was introduced. Therefore, in the three cases, every clause of the bills had clearly been before the committee for consideration before the closure motion was introduced. Even if we accept the government's arguments that they were justified in postponing the consideration of clauses 1, 2 and 3 even before they had in fact been considered by the committee, their argument and their conduct last Thursday and Friday would only have been valid and have had any basis for justification if they had followed the same procedure with respect to clauses 5, 6 and 7. Therefore, their whole course of conduct in calling for the postponement of clauses 1, 2 and 3 recognized and accepted the validity of the proposition that you cannot apply closure in committee unless you have all the clauses of the bill before the committee. Otherwise, why did they go through the farce they did last Thursday and Friday of calling the clause and the Minister of Trade and Commerce moved that further consideration be postponed? Why did the minister make himself look ridiculous and make the government look ridiculous and subject parliament to ignominy and insulting procedure unless they themselves in their minds and hearts admitted at that time that the only way they could get closure applied was, in fact, if every clause had been called, brought before the committee and its postponement then moved. Therefore, their conduct establishes the validity of the argument I now make and emphasizes that the precedents of 1913 and 1917 are the precedents that should be followed in this house rather than the tenuous and shadowy substance of the precedent of 1932.

It may be, sir, that the Prime Minister will attempt to make an argument that it is not necessary for each clause to be called separately in order for it to be before the committee. He may say: The bill was before the committee for one and one-half days

Northern Ontario Pipe Line Corporation

and, therefore, in our grace we permitted you to have a general discussion and in effect every clause has been before the committee. There is not a shadow of substance for that argument. I contend that in order for a clause of a bill to be before a committee it must be called as a separate question by the chairman. Every authority I have been able to find supports the proposition that it must be called and placed before the committee by the chairman.

May I refer you to a few of these authorities. I start first with Campion and refer you to pages 215 and 216. I do not know what edition it is but it is the one that is in the library. Here Campion is discussing the proceedings in committee on a bill and at the foot of page 215 you find the following:

The chairman calls each clause by its number and, if no amendment is offered, immediately proceeds to propose the question "That this clause stand part of the bill".

It is true, I admit, that the English procedure in committee is slightly different from ours, but Campion and May have been cited as authorities and used as a basis for ruling against us in previous arguments in committee and with respect to the point I am now making I submit the English proceedings in committee are absolutely applicable and the authority is exactly in point.

Campion continues:

On this question a debate on the provisions of the clause may take place. After it has been proposed it is no longer in order to move an amendment. As soon as the first clause is disposed of the Chairman calls the next clause and so on. Strictly, a separate question is necessary on each clause, but on uncontentious bills it is not unusual to save time by putting the question on groups of clauses.

This can hardly be described as an uncontentious bill. It is clear from this that a separate question is necessary on each clause and each clause must be called and considered separately before it can be held to have been before the committee.

Next I would give you the authority of May, fifteenth edition, at pages 526 and 527. At page 526, again in a passage discussing proceedings in committee of the whole House of Commons, we find the following:

Order in which bill is considered.

The text of a bill is considered in committee in the following order:

- (1) Clauses.
- (2) New Clauses.
- (3) Schedules.
- (4) New Schedules.
- (5) Preamble (if any).
- (6) Title (if amendment thereto is required).

Clearly, sir, you must call the clauses separately and you must call the clauses separately before they are before the committee.