

Mr. Knowles: While Your Honour is looking up that point perhaps I could answer some of the others you have made.

Mr. Speaker: The point is very easy to detect. The hon. member has said that before a motion is put for the house to go into committee of the whole on this resolution, order No. 12 must be out of the way. That is what he has said. He has cited instances where cabinet ministers have wanted to propose different resolutions from those already on the order paper and had proceeded to ask that the first order be discharged before they proceeded with the second one. That is the point we are trying to deal with at the moment.

Mr. Harris: I think it is 323.

Mr. Speaker: No, that is not the one either. It may be that I have hidden that one.

Mr. Knowles: I think Your Honour will find what you are looking for in citation 454 in Beauchesne's second edition.

Mr. Speaker: Will the hon. member be good enough to read it?

Mr. Knowles: It supports Your Honour's point that there would be difficulty in following some of these other procedures, or maybe there will not be, depending on how you read it. It reads:

The member who has proposed a motion can only withdraw it by leave of the house, granted without any negative voice. This leave is signified, not upon question, as is sometimes erroneously supposed, but by the Speaker taking the pleasure of the house. He asks "Is it your pleasure that the motion be withdrawn?" If no one dissents, he says: "The motion is withdrawn;" but if any dissenting voice be heard, he proceeds to put the question.

Mr. Speaker: That is not the one; I think it is citation 381 of Beauchesne's third edition. The one I have in mind is that there is such a thing in our procedure as a motion to discharge. Beauchesne's third edition, citation 154.

Mr. Knowles: The Prime Minister used that procedure on the redistribution bill.

Mr. Speaker: It has been used several times, but in the opinion of the hon. member is it not so that if you are allowed to make a motion you are also entitled to have a decision in the negative or the affirmative? Is that not right? Will the hon. member also agree that no motion could be allowed if that principle is not going to be maintained? That is a principle conceded in Magna Carta and it is embodied in our constitution in section 49 of the British North America Act, that a motion must be decided in the affirmative or the negative and that the majority rules. If that is right, and we all agree on that, then

Northern Ontario Pipe Line Corporation
there should be no difficulty in making a motion to discharge the order.

Mr. Knowles: Why did he not do it last Thursday?

Mr. Speaker: The second point, the one where the authorities are at variance, is whether the motion is debatable or not. The other day I quoted precedents to the hon. member, one of which was, and I quote from page 3761 of *Hansard*:

That the order of the house in respect of item numbered 6 under the heading "Government Orders" on today's "Order Paper", be discharged and that leave be granted to withdraw the following proposed resolution.

At that time Mr. Speaker said that the motion was not debatable. But there again there does not seem to be enough consistency or a sufficient number of cases to establish the procedure clearly one way or the other. There is one thing quite sure and certain, there cannot be duplication of debate. We agree on that. If the government changes its mind it should be entitled on a government day to use the procedure in order to consider its idea, that instead of the old one they should have the new.

The hon. member says that we cannot consider the new one unless the old one is discharged. There is a citation in Beauchesne which I will find a little later where he talks about the motion to discharge but he says it must be agreed to unanimously, that is confusing with asking for consent to withdraw according to the citation the hon. member referred to a moment ago and standing order 49. I think there is a difference between asking unanimous consent to withdraw something which is in possession of the house, when permission to withdraw must be given while the debate is going on and not so as to interrupt the hon. member who has the floor, and a motion to discharge an order.

The only thing that is before the house with respect to resolution No. 12 is that the chairman rose and reported progress and asked leave to sit again. The consequence of that was that the house ordered consideration of that proposed resolution at the next sitting. That is the decision which was taken. Now it is contended this resolution will be considered only if the motion to discharge No. 12 is made. Is it agreed that the motion for discharge is not debatable? Is it agreed also that if the motion to discharge is made it is made according to the principle of majority rule and not according to the unanimous consent requirement?

Those are points to be considered. Another point raised in the opinion of the Clerk which I read the other day is that there is in fact an additional element in this resolution which