

*Northern Ontario Pipe Line Corporation*

that stand up, but we were frustrated by these bad boys on the opposition side of the house so we have fallen back on Mr. Bennett's precedent." He says that, despite the fact that Mr. King, who, the Prime Minister says, did not say anything, said within the next two or three pages he hoped no future parliament would rely on the precedents that had been established in the course of getting that legislation through the House of Commons.

I am not going to take a great deal of time, Mr. Chairman, because I am limited to a half hour, in getting involved in the intricacies of standing order 33 which is difficult to discuss without getting mixed up in double negatives and further this and further that. Even so, if one takes the time to look at it carefully I say it is clear that the kind of motion that the Prime Minister can make under standing order 33 in committee of the whole is one that falls into two parts. The first part is that he must move that further consideration of certain clauses be the first business today. The Prime Minister, under that part of the standing order 33 has sought to move that further consideration of clauses 5, 6 and 7 be the first business today. I am omitting any reference to clauses 1, 2, 3 and 4 because I am not going to get involved in confusing technicalities about those clauses, even though I do not think what was done with regard to them was proper. However, no one can deny that clauses 5, 6 and 7 have not been called, have not been discussed or considered and have not been before the committee. How then can the Prime Minister stand up today and move a motion that the further consideration of clauses 5, 6 and 7 be the first business of this committee today? It is utterly unthinkable. I submit, Mr. Chairman, that though by relying on a technicality you could accept the first part of the Prime Minister's motion, the part with respect to clauses 1, 2, 3 and 4, you cannot possibly accept the part that asks that the further consideration of clauses 5, 6 and 7 and the title be the first business today.

The hon. member for Kamloops has developed it so I will not go into it, but the second part of standing order 33 permits a motion saying that consideration be not further postponed. Obviously if we have not had previous postponements of clauses 5, 6 and 7 there cannot be a motion that consideration be not further postponed. It is crystal clear from the wording of standing order 33 and it is crystal clear what happened in 1932, that bad precedent on which the Prime Minister is trying to rely today, and crystal clear from the opposition Mr.

[Mr. Knowles.]

King registered to it which the Prime Minister did not bother to tell us about, that the action he is taking today is completely out of order.

I may say, Mr. Chairman, that yesterday we did not know what was going to happen when the house met at 2.30. It was one of those rare occasions when there had been a Liberal caucus from which there had been no leaks. We did not know what was going to happen. I confess if there was a look of amazement on my face which the Minister of Finance and others may have seen, I was shocked when the Prime Minister gave notice of a motion which was so completely out of order. I am glad the Prime Minister got into this debate on a point of order, but I wish he would recall the stand he took on an equally difficult matter back in 1946. I am not going to read any more from what Laurier or Lapointe or Mackenzie King said, because those great Liberals do not seem to move the Prime Minister. Rather I intend to read St. Laurent to the Prime Minister.

On June 18, 1946, the Prime Minister was asked a difficult question. He made an answer which I still remember because to me it was one of those classics that sometimes reach the pages of *Hansard*. It took courage, honesty and integrity to make it, and he made it well. He had been asked by the late Arthur Smith, in a discussion on redistribution which got over into a discussion of the British North America Act, whether or not section 133 of the British North America Act, relating to the status of the French and English languages, could be amended without the consent of the provincial legislatures. One could hardly imagine a more difficult question to be put to the present Prime Minister, who was then the Minister of Justice. This was his courageous reply in terms which, I say, represent a classic on the pages of *Hansard*. On page 2621 of *Hansard* for that date, I find this:

Can that be dealt with without the consent of the provincial legislatures? Legally I say it can. The situation appears to me to be this. There are persons and nations who reach a high estate in the affairs of men, and the high estate they reach imposes upon them high obligations. There was no obligation on the Tribune Festus to say to King Agrippa that he could not deliver Paul to the Jews when they requested that he be put to death. It occurs to one, however, that they also had reached a high estate, which imposes a corresponding obligation. I copied out of the Bible on the table of this house, from the Acts, the quite natural statement of Festus:

"It is not the manner of the Romans to deliver any man to die, before that he which is accused have the accusers face to face, and have licence to answer for himself concerning the crime laid against him."