

that a motion that did not make sense could not be put by the Chair.

Mr. McGrath: April Fool.

An hon. Member: Why don't you give up now when you are ahead?

Mr. Macdonald (Rosedale): Mr. Speaker, may I speak on the point of order?

Mr. Deputy Speaker: I should just like to make an observation. It seems to me that it is the fourth paragraph of the report. The first paragraph seems to be what constitutes a preamble.

Mr. Knowles (Winnipeg North Centre): But it is a paragraph.

Mr. Deputy Speaker: I do not know how seriously the hon. member for Winnipeg North Centre wants to press this point, but I would suggest that the reference really is to the fourth paragraph of the report, unless there is serious objection to that.

Mr. Lambert (Edmonton West): Mr. Speaker, yesterday there was a ruling based on a technicality. Surely to goodness if we are going to be technical on one day we should be technical on the next. It is not a case of fitting rulings to the circumstances, and I am not suggesting that there is any such consideration in Your Honour's mind. But surely if there is a reference to stated words in a particular paragraph and unless the paragraphs are numbered, the paragraph referred to, whether it is a preamble, a recital or what have you, is still paragraph 1, and so on down the line. If such is the case, and I will take the word of the hon. member for Winnipeg North Centre that these words are in the fifth paragraph, then no such words appear in the fourth paragraph. If the amendment is defective, it is defective.

Mr. Baldwin: May I suggest that a fairly serious objection has been made, so possibly Your Honour might like to give the matter some consideration and in the meantime we could proceed with the debate. If Your Honour should hold that the amendment is defective, the President of the Privy Council might be prepared to come back and ask for unanimous consent to make another motion. Whether or not unanimous consent will be granted is another thing, but in the meantime the debate might proceed so that we do not lose any time.

Mr. Deputy Speaker: Rather than belabour the point perhaps I should say again that I

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did make the observation that the first paragraph constituted a preamble and the following four paragraphs were substantive paragraphs. That point is being questioned. In the interest of expediency, perhaps it might be best to accept the point of order and to say the amendment is defective. Possibly the President of the Privy Council could arrange for someone to move an amendment subsequently.

Mr. W. B. Nesbitt (Oxford): Mr. Speaker, before making some other observations on this matter I should like to deal very briefly with two of the more serious arguments just presented by the President of the Privy Council (Mr. Macdonald). First of all, I should like to make clear that according to my understanding of the report of the committee it did not instruct the house as to what it should do; it merely recommended to the house a certain course of action.

This matter was dealt with extensively yesterday when another point of order was being discussed by my colleague, the hon. member for Peace River (Mr. Baldwin). I do not intend to belabour the point now, but I think it is quite clear from the simple definition of the word "recommend" in Webster's Dictionary that there was nothing peremptory in the committee's report so far as the government is concerned. It was merely a recommendation to the government by the committee that a certain course of action be followed. It most certainly did not specify in any way the method by which that course of action should be carried out. That was left entirely to the government because it is the government's prerogative. It merely recommended that certain things be done.

The second objection raised by the President of the Privy Council concerns the fact that we are asking the government to undo something that is within the prerogative of the Canadian Transport Commission. Again, this is not the case. Under the act which brought the Canadian Transport Commission into existence, provision is made for appeals from decisions of the commission. In particular, provision is made for an appeal to the Governor in Council, in other words, to the cabinet.

• (3:40 p.m.)

In this case a committee of this house was, in a sense, providing a form of appeal. That committee was empowered by the house to investigate problems of transportation in the Atlantic provinces, a very broad field. Having