

*Northern Ontario Pipe Line Corporation*

precedent that can be cited in support of the hon. gentleman's proposition is the precedent of 1932 when the Right Hon. R. B. Bennett was Prime Minister and invoked closure on a bill in committee. I want to make this point quite clear. I do not admit the validity of that precedent, and I shall give my reasons in the course of my further arguments.

I do not think that the government of that day was right in saying—perhaps I had better go back and say the bill contained three clauses. It had been considered for some two weeks at the resolution stage, a vast difference from the bill now before us, and it had been considered for two days in committee and when the closure motion was made only one clause had been called before the committee by the chairman.

The argument was then put forward that the discussion on clause 1 had been of a general nature and, therefore, in effect the other two clauses of the bill had been before the committee and it was a justifiable motion applicable to clauses 1, 2 and 3. As I say, I do not accept the validity of that argument because clearly clauses 2 and 3 had not been called before the committee on that occasion.

Secondly, I submit that the point of order I am now raising was not raised in a clear manner and brought before the committee clearly for decision and, as has been said by one of my colleagues here on a previous occasion, accepted, as I understand it, by the Chair. A precedent that has not been tested is not as strong a precedent as one that has been examined, tested and approved. This is a point that was not raised and was not clearly brought before the committee and established on that occasion. It is true that one of the hon. members present in the committee did ask the chairman whether the only motion that could be made was for the further postponement of clause 1. The chairman, not in the form of a ruling, but in the form of a general observation, said in effect that he did not think that question was before him to decide or before the committee to decide. He said, the motion is that further consideration of the three clauses be not further postponed, and, after one other query from an hon member, he put the motion and it was carried.

Therefore, sir, there was no clear issue raised as to the propriety of the motion and its propriety was not tested. Therefore, I submit that this precedent, tenuous as it is, is not a precedent tested, established and embedded firmly in the practice of this house. It is the only precedent that the government can bring in, in support of its

position. There is another very important difference, even accepting the validity of this 1932 precedent as a precedent, which I question. There is, however, the clear difference between the situation then and the situation before us now on the basis of which that precedent can be clearly distinguished. That was a bill of only three clauses, and virtually the whole bill was contained in clause 1. It was a bill to continue in force the employment and farm relief act. All the provisions of the act, when clause 1 had been enacted, if it were enacted, covered the other two clauses which were entirely concerned with matters of detail. They depended upon clause 1 as a matter of course. In this case we have a bill of seven clauses. The Prime Minister himself said, as recorded at page 4365 of *Hansard*, that we have not yet in committee got to any one of the main operative clauses. Remember that in the case of the 1932 precedent clause 1 was the main operative clause. May I place before the committee the words of the Prime Minister as recorded at page 4365 of *Hansard* when he made the statement which he asked us to take seriously but which his subsequent action made known that he himself did not intend to take seriously, and I doubt indeed whether he felt for five minutes that the country would take his so-called offer seriously. This is what he said:

No, Mr. Speaker, I say that, as soon as the motion before the committee has been disposed of, debate can begin either on clause 4—

I interpolate, we were then on the motion to postpone consideration of clause 3. I continue with the Prime Minister's remarks:—or, if hon. members wish to postpone clause 4, on clauses 5, 6 and 7, those we had thought would be the operative clauses on which it would be most interesting to have the debate develop.

By the admission of the Prime Minister himself we have not even got to the operative clause in our consideration in committee, and yet he is moving that further consideration be not further postponed on clauses that we have not even considered for one moment. There is the distinction between the 1932 precedent and this situation, if further distinction were needed. In 1932 Mr. Bennett made the argument that clause 1 embraced virtually the whole bill. That was the argument upon which he based the validity of his motion. Here the Prime Minister has admitted that the bill does not depend on clause 1, clause 2, clause 3 or even clause 4. The operative clauses, the main clauses, are 5, 6 and 7, which have not yet been before us. Therefore, I say to you, sir, the 1932 precedent is not a valid one, is not a sound one, even in the circumstances in which it