

• (3:30 p.m.)

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Let me repeat that statement:

A mere alteration of the words of a question, without any substantial change in its object will not be sufficient to evade the rule—

There has been no substantial change. What the minister is doing by this amendment to clause 74 is merely suggesting that under the old section 329 the commission will look into the Crowsnest pass freight rates within a certain period of time to determine whether the railway companies are making or losing money. That was the object of the old section. What is the object of the new section as set forth in the amendment to clause 74? The object now is that the commission will, on the application of a railway company, look into those costs.

Let me say that section 329 was mandatory and that clause 74 is also mandatory because once a railway company makes an application under clause 74 the commission shall review these freight rates. For that reason the Conservative party voted against the inclusion of new section 329. The object was for the commission to review the Crowsnest pass freight rates and pit the western farmers against the other taxpayers of Canada. The minister is aware of that fact and he has made certain strange statements as reported in the press since that vote was taken.

Last night the minister, with his nice personality and approach, proposed an amendment to clause 74. All he has done or suggested is the substitution of one word. The object is the same, the motives are the same and the result will be the same. For that reason I say at the outset that this amendment is invalid and cannot now be put a second time. The subject of the amendment was voted on and stricken from the bill.

Let us see what the new rules say in this regard. It is my suggestion that they are even stronger. Let me refer to Beauchesne's Parliamentary Rules and Forms, fourth edition, 1958, at page 136, citations 162 and 163. In view of the fact this is an important matter regarding validity, I hope the committee will bear with me while I place on the record the citation. Citation 162 states:

A resolution may be rescinded and an order of the house discharged, notwithstanding a rule urged, "that a question, being once made and carried in the affirmative or negative cannot be questioned again, but must stand as a judgment of the house."

Transportation

We have had a judgment of the house. We have said that this cannot be done because the country does not want it and we are the representatives of the country.

The minister, by intellectual trickery, has moved an amendment to clause 74 under the guise of attempting to define grain but what he is actually doing is setting up a committee to look into these freight rates. He is forced to do so because he failed to have a sufficient number of his members left to carry the question in the house. I might add that the hon. member for Medicine Hat abstained during that vote.

It is my suggestion, Mr. Chairman, that in spite of the minister's intellectual trickery this amendment must be ruled out as being invalid. In this connection it is interesting to note what the minister admitted was his fault last night. We do not very often hear a plea of guilty from the Minister of Transport but we did so last night. He knows exactly what happened. Last night he let the cat out of the bag when he attempted to perpetrate his intellectual trickery on the house. After the amendment was moved the hon. member for Macleod stated:

—judging from what the minister has said, in a backhanded way the baby thrown out with the dirty water is back in again.

Some hon. Members: Oh, oh.

Mr. Woolliams: What did the minister then say? He said:

That is right.

What the hon. member for Macleod said in effect was that the nurse washing the baby forgot herself and threw it out with the dirty water but now the baby has been carried back in for another bath by the government.

We have made a decision and we have a judgment. The Conservative party has fought for western Canada so far as the Crowsnest pass rates are concerned. What the minister is now trying to do by his amendment to clause 74 is exactly the same in principle as what he could not do on an earlier occasion. The rules are clear in this regard as pointed out in Beauchesne's third and fourth editions, citations 284 and 285, and 162 and 163.

Let us compare the two suggested sections to see how they differ, if they differ at all. New section 329 made reference to the Crowsnest pass freight rates whereas in the amendment to clause 74 reference is made to statutory rates. In all intellectual honesty I now ask the minister what difference there is between statutory rates and the Crowsnest