

mind of the honourable Leader of the Opposition. With great respect and deference to him, may I read the record of yesterday's *Hansard*. I think it is important that we should read it.

Hon. Mr. Flynn: I did read it.

Hon. Mr. McIlraith: The item was called and I said, "Stand." It goes on:

HON. MR. FLYNN: May I ask whether this order is going to stand for very long?

That was the form of his question. It was not whether the proponent or the one in whose name the debate stood adjourned was going to ask it to stand, but "... whether this order is going to stand for very long?" I replied—

Hon. Mr. Flynn: Continue with what I said.

Hon. Mr. McIlraith: I listened attentively to the honourable senator, but may I—

Hon. Mr. Flynn: What I am suggesting is that you read everything I said before you continue.

Hon. Mr. McIlraith: May I continue my remarks in an uninterrupted way?

Hon. Mr. Flynn: Go ahead.

Hon. Mr. McIlraith: I listened with great care and considerable interest to the honourable senator, and I claim the same right, at least, to be allowed to continue without interruption in my reply to his remarks, which indicated a misunderstanding of what I said last night. My reply to his inquiry, "May I ask whether this order is going to stand for very long?" was:

Honourable senators, I think the answer to the question posed by the Leader of the Opposition has to be a simple and direct, "Yes, it will stand for a considerable time."

I then went on at considerable length—some might say too long—to explain why I thought it appropriate that this order stand for a considerable time. I concluded my remarks as quoted by the honourable senator today:

For that reason, I ask that the order stand, and I expect to ask the forbearance of honourable senators when it is called again to have it stand until we know better what is happening with the bill before the other place.

I hope the remarks read in that way are perfectly clear. I do not for one moment suggest, nor claim any right, to have it stand as of right at the say-so of myself. Such arrogance is quite contrary to my nature. I do, however, respectfully suggest to this honourable body that it may be necessary to stand it from time to time for a considerable length of time, until we know what happens with the government bill before the other place on a similar subject to the bill now before this house. I hope I made it clear that I make no claim whatever to have it stand as of right, and I think my reference to asking the forbearance of honourable senators made that very clear.

● (1410)

Hon. Mr. Grosart: Honourable senators, on the point of order, I am delighted that Senator McIlraith has cleared up what would appear to be a misunderstanding. I agree that the Leader of the Opposition was perfectly within his

[Hon. Mr. McIlraith.]

rights in taking the meaning he took from the very clear answer that Senator McIlraith gave to the question. Senator Flynn had asked whether this order was going to stand for very long, and the answer from the senator who moved the adjournment was, "Yes, it will stand for a considerable time." The assumption there was the right of an honourable senator, in adjourning a debate on a motion, to hold it up indefinitely.

I suggest that this goes much beyond the present case. We all know that the mere device of an adjournment has been used in this place to stand debate for a long long time.

On the point of order, I would ask that there be a ruling from Her Honour as to the meaning of an adjournment of the debate and the rights that may or may not flow to the senator who adjourns the debate. I would point out that our rules are not awfully clear on this. As a matter of fact, under our rules there is no such thing, *ipso facto*, as "adjournment" of the debate; it is officially a "postponement" of the debate. Honourable senators will find this in rule 46(c), which provides for the postponement of a debate to a certain day. Under rule 36(2) a motion to adjourn a debate shall be deemed to be a motion to postpone that debate to the day specified in the motion or, if no day is so specified, to the next sitting day.

It is clear, therefore, that our rules merely say that they will regard a motion to adjourn a debate as a motion coming under rule 46 to postpone the debate to the next sitting, if no date is named.

It so happens that on the Order Paper now there is a motion of mine relating to a bill. It has been postponed for months, because the adjournment is in the name of Senator Molgat. I understand his reasons, but the situation has been that here by practice if a senator adjourns a motion we are powerless to do anything about it. It comes up, and what will happen? If I wish to speak on the motion which Senator McIlraith adjourned, I ask honourable senators what would be my position if I rose. Senator McIlraith would move, as he moved yesterday, that the adjournment be continued. That is what "stand" means; it means "I move the motion that the debate be adjourned." If he has a motion before the house, I presume I would be entitled to rise and say I wish to speak on the motion. What position would the Senate take on that?

Therefore, I suggest this should be clarified and we should have a ruling from Her Honour, if this is Her Honour's interpretation of the practice and procedure of this place, that the motion to adjourn does not give the right to any senator indefinitely to hold up a bill.

Senator McIlraith has expressly said this was not his intention, but the words as they stand here might indicate that that was the interpretation held by certain senators. Certainly, the practice of the management of the house has been to hold up indefinitely debate on certain motions—and I am not saying improperly, but it has been the practice to do so—by using this device of an adjournment in the name of a certain senator.

For that reason, honourable senators, I would ask that there be a formal ruling on this so that we will be quite clear in the future what the situation is when a debate on a motion is adjourned, and a senator wishes to speak, even