

Northern Ontario Pipe Line Corporation

In other words, the function of this committee is to assist the House of Commons who appointed us and referred this bill to us. It continues:

And this assistance is generally rendered by the conduct of an inquiry through the reception of evidence, the drafting of a document, or the consideration of papers referred to the committee.

What has been referred to us is a bill of seven clauses. We cannot consider that bill adequately unless we consider each clause. We are being asked now to accept closure on a motion moved by the Prime Minister when we have only had four clauses actually called and placed before us.

On the same subject, what Mr. Meighen said as to reasonableness is very appropriate. In column 9367 of *Hansard* for 1912-13, he said this. He had been asked by Mr. Guthrie what would happen if the government tried to close off all debate before the matter had even been considered. He said:

I endeavoured to meet that position and I said that within the reasonable meaning—

I am appealing here to common sense.

—of that rule the government would not be acting correctly or within the spirit of the rules if they did not permit the opposite side to speak.

He went on to answer a member who had asked him a question, by saying:

His difficulty is that he forgets that all sentences in law or anything else and all rules in the House of Commons as in law, must be interpreted in the stern light of commonsense. When the rule says that there must be a debate before the motion to postpone it is made, the word debate must be interpreted in a reasonable way in the light of the sentence.

Here we have the word "consideration" as applicable to committee. Let us apply this question to common sense. We are asked to use the precedent of 1932 in which, after one clause had been before the committee, all the other clauses were brought under closure. Although four clauses have been brought before us we are asked to apply that precedent today. What would that establish? It is the precedent that we have to consider, the ruling that would be made and embedded in the authorities of this house.

Supposing that we had a bill of 50 clauses, this would establish the precedent that one clause might be called and postponed and then the other 49 put under closure. Supposing we had a bill of 150 clauses, with one clause called and postponed and 149 put under closure without any previous discussion, or supposing we had the Criminal Code or the Canada Shipping Act, with 600 or 700 clauses—we have statutes of that magnitude on our statute books and we very probably will have them again—are we to establish a precedent—is that what the right hon. gentleman asked us

[Mr. Fulton.]

to do?—that would say that when one clause has been called and postponed after 15 seconds discussion, and others not called, the other 699 can then be put under closure? That is what the right hon. gentleman is asking us to establish here today. What is to be the average? Four out of seven? One out of five? One out of 20? It becomes impossible of interpretation, and the full absurdity and unsoundness of the proposition now placed before us is made self-evident.

Therefore, I should like to conclude, Mr. Chairman, by referring you to one other statement made by Mr. Meighen when he discussed the closure rule and made it clear that it must be interpreted and applied in the light of common sense. He was asked whether the very sort of thing or a similar sort of thing to what is being done today could ever be done under this rule. Here is what he said, in column 7533 of *Hansard*. He was asked by Mr. German:

I did not say it should be done. I was asking the hon. gentleman if, under these rules, it could be done?

Mr. Knowles: The Prime Minister should listen to this one.

Mr. Fulton:

Mr. Meighen: Yes, but it would be absurdity itself if it were done and I do not think that any hon. gentleman could suggest any method for guarding against what some hon. members may think is a terror but which I think could not be perpetrated except by a government which was at once insane and vicious.

Mr. Fleming: That day has come.

Mr. Fulton: If this goes through, it will be an affront, a precedent fastened upon the House of Commons, which can only be described as an insane and vicious act.

The Deputy Chairman: Order.

Mr. Drew: Mr. Chairman, there is one point, before you make your ruling, which I should like to refer, and which I do not believe has been dealt with, and certainly not emphasized. It seems to me, quite apart from the interpretation of the words, which certainly has great importance, that there is an extremely important question arising as to the interpretation of what was done in 1932. In 1932, which is the precedent upon which the Prime Minister now relies, an act of three sections was before the committee. The first section had been discussed and there was a wide discussion of the first section. I think it is important to note what that act was because the nature of the act has something to do with the argument that the subsequent sections had also been discussed while section 1 was under consideration.