

fully. I read the beginning and it seemed to me, if my recollection is right, that the unanimous consent he asked for at that time could address itself just as much to the fact that he did not want to let the 48 hours' notice go by—only 24 hours in this case—and he wanted to proceed that very same day to take it out of the *Votes and Proceedings* and go ahead with it that day while he had the first resolution pending on the Order Paper under Government Orders. Does that clearly make the point that you must ask that the order be discharged in the first Resolution before you can proceed with the second if they are substantially the same?

With respect to the motion for discharge, I indicated to the honourable Member that according to precedents I have seen, the motion is not debatable. There is in Beauchesne a citation which cannot be overlooked when you consider a motion for discharge. Is it a motion or is it not? If it is a motion, all motions must be decided in the negative or the affirmative, but according to the citation in Beauchesne's third edition a motion to discharge is one in a very special category. Beauchesne's third edition, citation 154. The first citation is to the effect that you can move that the order be discharged, but you must have unanimous consent. Without unanimous consent the motion to discharge is of no value whatever.

The honourable Member has said that before a motion is put for the House to go into Committee of the Whole on this Resolution, order No. 12 must be out of the way. That is what he has said. He has cited instances where cabinet ministers have wanted to propose different Resolutions from those already on the Order Paper and had proceeded to ask that the first order be discharged before they proceeded with the second one. That is the point we are trying to deal with at the moment.

Citation 454 of Beauchesne's second edition is not the one; I think it is citation 381 of Beauchesne's third edition. The one I have in mind is that there is such a thing in our procedure as a motion to discharge. Beauchesne's third edition, citation 154.

It has been used several times, but in the opinion of the honourable Member is it not so that if you are allowed to make a motion you are also entitled to have a decision in the negative or the affirmative? Is that not right? Will the honourable Member also agree that no motion could be allowed if that principle is not going to be maintained? That is a principle conceded in Magna Carta and it is embodied in our constitution in section 49 of the British North America Act, that a motion must be decided in the affirmative or the negative and that the majority rules. If that is right, and we all agree on that, then there should be no difficulty in making a motion to discharge the order.

The second point, the one where the authorities are at variance, is whether the motion is debatable or not. The other day I quoted precedents to the honourable Member, one of which was, and I quote from page 3761 of *Hansard*, May 10, 1956:

"That the order of the House in respect of item numbered 6 under the heading "Government Orders" on today's "Order Paper", be discharged and that leave be granted to withdraw the following proposed resolution."

At that time Mr. Speaker said that the motion was not debatable. But there again there does not seem to be enough consistency or a sufficient number of cases to establish the procedure clearly one way or the other. There is one thing quite sure and certain, there cannot be duplication of debate. We agree on that. If the Government changes its mind it should be entitled on a Government Day to use the procedure in order to consider its idea, that instead of the old one they should have the new.