

*Division*

Gundlock	Otto
Haidasz	Pascoe
Hellyer	Pépin
Isabelle	Peters
Johnston	Pickersgill
Knowles	Pilon
Lachance	Prittie
Lafamme	Prud'homme
Laing	Rapp
Lambert	Régimbal
Langlois (Chicoutimi)	Reid
Laniel	Ricard
Laprise	Richard
Latulippe	Rideout (Mrs.)
Laverdière	Rinfret
Leblanc (Laurier)	Robichaud
Lefebvre	Rochon
Legault	Rock
Lessard	Rynard
Lewis	Saltsman
Lind	Sauvé
Loiselle	Schreyer
MacEachen	Scott (Victoria (Ont.))
MacInnis (Mrs.)	Sherman
(Vancouver-Kingsway)	Smith
Mackasey	Stafford
MacLean (Queens)	Stanbury
McIlraith	Starr
McKinley	Stewart
McWilliam	Tardif
Madill	Teillet
Marchand	Thomas (Maisonneuve- Rosemont)
Mather	Thompson
Matte	Tolmie
Mongrain	Tremblay
Monteith	Trudeau
Munro	Tucker
Nesbitt	Turner
Neveu	Walker
Nicholson	Watson (Châteauguay- Huntingdon-Laprairie)
Nielsen	Webb
Nixon	Whelan
O'Keefe	Winters
Olson	Yanakis—137.
Orange	
Oriikow	

## NAYS

Messrs:

Allard—1.

**Mr. Speaker:** I declare the motion carried.

● (11:40 p.m.)

**Mr. Pennell:** Mr. Speaker, I was paired. Had I voted I would have voted for the bill.**Mr. MacLean (Queens):** Mr. Speaker, I should like to rise on a point of order in connection with the vote. I should ask that the record of the vote be read but on account of the lateness of the hour I do not intend to do that. However, I should like to reserve the right to raise a point of order tomorrow after I have seen the record of the vote in *Votes and Proceedings*.**Mr. Speaker:** If the hon. member has a point of order to raise, I suggest he should do so now.

[Mr. Fulton.]

**Mr. MacLean (Queens):** Mr. Speaker, I believe the point of order which I wish to bring to the attention of the house is a rather important one. I hesitate, however, to take the time of the house at this late hour. It is in connection with a principle which I consider to be very important, namely, that when hon. members rise to challenge Mr. Speaker's interpretation of the sense of the house they automatically are declaring themselves to be in the group which Mr. Speaker has determined to be the minority. Therefore those members who rose tonight to call for a formal vote should have their names recorded with those who voted against the measure.

This, Mr. Speaker, is a very important point to me. If one refers to clause 48, I believe, of the British North America Act it will be seen there that questions in the House of Commons are decided by the voice of the house. I am quite familiar with rule 9, I believe it is, in our rules which states that five members may rise and therefore require that a vote be recorded. I suggest that that rule is deficient. If you refer to rule 1, where there is no precedent for this sort of thing in our rules, and refer to the rules and customs as they exist in the British House of Commons, you will find, of course, Mr. Speaker, that although the system of taking a recorded vote is different there than it is in our House of Commons, there is one principle which is an obvious one. It is that when Mr. Speaker estimates whether the yeas or nays have it, it is only those whom Mr. Speaker has deemed to be the minority who have the right to call a recorded vote, because the voice of the house is what decides whether a matter is carried or not and the recording of the vote is only to determine the voice of the house when it is nearly even or when it is not clear that the Speaker is not in error.

I should have liked to do this tomorrow when I will know what the vote has been. In order to save time I refrain now from asking that the vote be read by the clerk, which I believe is my right in circumstances of this sort. It is clear, however, that under our rules, upon a division the yeas and nays shall not be entered upon the minutes unless demanded by five members. But it implies that these five members are members who are challenging your decision and therefore they are in the group which Mr. Speaker has declared to be the minority. There are many references to this in the British rules. For example, Mr. Speaker, in respect of the British House of