

Combines Investigation Act

I would also point to two very short sentences in May, the first at page 298, coming under the chapter dealing with the same question not being offered twice, which reads: . . . an entire bill may be regarded as one question, which is not decided until it has passed.

The other is on page 317, shortly after the famous "wholesome restraint" sentence, in these words:

This rule, however, does not apply to debates upon different stages of a bill . . .

My contention is that since the whole bill is to be taken as one, the discussion opened by the Minister of Justice yesterday, in speaking at another stage of this bill, is still before us, and that in effect the amendment moved by the hon. member for Lake Centre is pertinent to the discussion of the Minister of Justice yesterday.

Life is often like this. I confess that I had hoped myself to be in a position to move an amendment to this bill. That opportunity was acquired by the hon. member for Lake Centre, however, by virtue of his getting the floor before me. I mention that, not merely to record what I had intended to do, but to indicate the objectivity of the position I am taking. From my personal standpoint it might be better if this amendment were ruled out of order, which would give me a chance to move one of my own, but I am taking an objective position. I contend that the rights of members of this house, to whatever party they belong, should be defended when they are called into question. I feel very strongly that this amendment—this motion of censure, as it is—which has been moved by the hon. member for Lake Centre, should be regarded as in order.

Mr. Garson: The observations made by the last two preceding speakers would be quite relevant to the matter now before the house, I think, if the leader of the opposition (Mr. Drew) had not previously moved an amendment to the motion for second reading of the bill, and if that amendment had not been disposed of. But I suggest that the facts in this instance are these.

First of all, on a motion to go into committee of supply, we had a debate upon the substantial subject matter of the flour report and the actions of the government in relation thereto. As the hon. member for Winnipeg North Centre (Mr. Knowles) pointed out, however, at that time nothing was recorded in the *Journals* covering that debate; therefore it was proper at a later stage to refer to the same matter again in a subsequent debate. That second occasion was provided when the leader of the opposition moved in amendment that the said bill be not now read a second time but that the subject matter thereof be

[Mr. Knowles.]

referred to the standing committee on banking and commerce, with instructions that they have power to send for persons, papers and records, and that in addition to other recommendations in respect to the subject matter of the said bill they should also have power to report upon the extent to which the effective administration of legislation relating to restrictive trade practices has been or is being prejudiced by the action of the government in failing to carry out the mandatory requirements of the existing law.

In other words the purpose—and the very proper purpose, from the standpoint of my hon. friend the leader of the opposition—of that amendment was to enable this house to discuss the flour report and the actions of the government in relation thereto. But, sir, once that discussion had taken place, and at very great length; once the house had voted upon that amendment, then surely any attempt under some new formula or some different language to bring the same subject matter before the house for a third time would be out of order. On that ground I suggest that the amendment of the hon. member for Lake Centre should be declared out of order.

Mr. Drew: Before you reach a decision, Mr. Speaker, I would point out that the amendment I moved called for a direct reference of the subject matter of this bill to a committee of the house. That was its declared purpose.

Mr. Garson: With instructions.

Mr. Drew: With an indication from the house as to the terms of reference to that committee, which is in keeping with the rules. May I add that the use of the words, "the subject matter of the bill," instead of a reference to the bill itself, was in keeping with the practice in that respect; therefore the amendment with which the house has dealt was one which would have had the effect of placing this bill before the committee. Although the Minister of Justice saw fit to interpret certain aspects of the discussion that took place as a motion that had the effect of an expression of want of confidence, this is an interpretation which in no way affects the declared purpose of the motion.

The house voted on the amendment, and as a result of their decision the bill does not go before the committee. An amendment is now presented to the effect that the house express its opinion on what has been done; that was not contained in the other amendment. It would only be by a very broad inference that the contents of this amendment could be stated to have been before the members of this house when they voted on the