Mr. MANION: Where it has always gone.

Mr. LAPOINTE: It is a question of procedure, not of principle. An amendment to the second reading should be something which is in opposition to the principle of the bill.

Mr. GARLAND (Bow River): May I ask a question of the ex-Minister of Justice (Mr. Lapointe)? If the contention of the hon. member who moved the amendment is correct, and it is not a motion from this house referring the bill under discussion to the railway commission, then it is a negative of the bill and therefore is out of order.

Mr. GRAY: The rule is quite clear. Rule 755 reads:

> It is also competent to a member who desires to place on record any special reasons for not agreeing to the second reading of a bill, to move as an amendment to the question, a resolution declaratory of some principle adverse to, or differing from, the principles, policy, or provisions of the bill, . . .

Mr. MANION: This is adverse to it.

Mr. GRAY: Surely that is not the case here. I submit, according to Beauchesne's Parliamentary Rules and Forms, paragraph 755, the position is as pointed out by the ex-Minister of Justice (Mr. Lapointe). It is a question of procedure, not one of principle, that is being discussed.

Mr. SPEAKER: I am of opinion that the amendment is quite in order according to the paragraph just quoted by the hon. member, as it is a repetition of May at page 357 and Bourinot at page 509. The amendment seems to come quite within the provisions there quoted and in my opinion it is in order.

Mr REID: I must appeal against your ruling. Knowing what is back of this, I must appeal.

Mr. Speaker put the question as follows:

The Speaker having decided that the amendment moved by Mr. Barber, seconded by Mr. Plunkett, is in order, Mr. Reid appeals from that decision. Is it the pleasure of the house that the Speaker's ruling be sustained?

The house divided on the question: Shall the ruling of the chair be sustained? And the ruling was sustained on the following division:

[Mr. Lapointe.]

YEAS

Messrs:

Anderson (Toronto-High Park)
Anderson (Halton)
Arsenault
Arthurs
Baker
Barber
Baribeau
Beaubier
Belec
Beynon
Bourgeois
Bowman
Burns
Bury
Cahan
Cantley
Chaplin
Cowan (Long Lake)
Davies
Dickie
Dupré
Duranleau
Embury
Fraser (Cariboo)
Gagnon
Ganong
Gobeil
Gordon
Guthrie
Hay
Jones
Kennedy (Winnipeg South Centre)
Laflèche
LaVergne
Lawson
Loucks
Macdonald (Kings)
Macdougall
MacMillan (Saskatoon)
MacNicol
McGillis
McGregor
McLure
Manion
Matthews
Moore (Chateauguay-Huntingdon)
Myers
Nicholson
Peck
Perley (Qu'Appelle)
Pickel
Plunkett
Price
Quinn
Senn
Shaver
Simpson (Simcoe North)
Simpson (Algoma West)
Smith (Victoria-Carleton)
Smith (Cumberland)
Smoke
Sproule
Stanley
Stewart (Leeds)
Stewart (Lethbridge)
Stinson
Stirling
Stitt (Nelson)
Sutherland
Swanston
Tétreault
Thompson (Simcoe East)
Thompson (Lanark)
Weese
Weir (Melfort)
White (London)
White (Mount Royal)
Wright—78.

NAYS

Messrs:

Beaubien
Bertrand
Bothwell
Boucher
Boulanger
Bradette
Butcher
Cardin
Carmichael
Casgrain
Chevrier
Denis
Deslauriers
Duff
Euler
Factor
Ferland
Gardiner
Garland (Bow River)
Gershaw
Girouard
Golding
Gray
Hall
Hanson (Skeena)
Heaps
Jean
Kennedy (Peace River)
Lapointe
Luchkovich
MacInnis
Mackenzie (Vancouver Centre)
MacLean
McIntosh
Michaud
Mitchell
Motherwell
Munn
Neill
Reid
Sanderson
Spencer
Totzke
Woodsworth—44.