

Question of Privilege

before you make a decision. In this case, as soon as the general outline was given you rose immediately and ruled it out of order without permitting argument. On reflection I think you will agree this is something which does not make for the amenities which we expect in the House of Commons. I repeat that the right to be heard or at least to have one side of the argument placed before the Speaker should not be denied to any member of this house.

Some hon. Members: Shame.

Mr. Speaker: Order, please.

Mr. Hellyer: On a question of privilege, Mr. Speaker—

Mr. Speaker: Order, please. There can be only one question of privilege at a time. We had a rather difficult experience just a few months ago and I hope we do not have to go through the same experience again. At that time I tried to establish the fact, on the basis of rulings made in days gone by, that there should be only one question of privilege. I suggest to the minister who seeks to speak now that he should not raise a second question of privilege.

There was a motion made by an hon. member, and the right hon. Leader of the Opposition very properly suggests that the Chair should have allowed more members to contribute to the point of order that the question of privilege was raised at the earliest possible opportunity. I did allow the hon. member who raised this point—after all, it is his motion—to express his views after I had made a preliminary ruling as to whether this matter had been raised at the earliest opportunity. What he has said has not changed my view.

Now, looking at this matter very objectively, I cannot see what further arguments could be brought in addition to those submitted by the hon. member. His argument is that he came upon facts in recent days, reached a decision and then raised his question of privilege. His suggestion is that this same point might be raised two weeks from now or two months from now by another hon. member who comes upon additional facts upon which he reaches his own personal conclusion.

This places the Chair in an extremely difficult position. I have made a ruling which I think is a fair one under the circumstances.

Mr. Nugent: I asked Your Honour before I sat down if there was anything further needed to establish my argument, and if so I

[Mr. Diefenbaker.]

asked to be heard further. I had expected if I had not established the case—and the factor of time had been mentioned—Your Honour would have allowed me to speak on that since I had forgotten that point might be raised. Then I want to make this point that, in view of the seriousness of the charge and the responsibility of members, it was not until I had the sworn affidavit—not hearsay, not rumour, but sworn evidence from a responsible person in a responsible position that I felt this was the sort of thing which a member could bring before the house.

Even then, in my view, this was such a serious charge that one had to be extremely careful as to the manner and form in which it was presented. All the evidence had to be considered, including the statements before the committee, the statement of the minister, the various precedents and rulings, so that if I were going to present it I had to present it correctly.

I suggest to Your Honour that my argument is very simple. I did not come into possession of the evidence which was necessary until the week end. I spent yesterday in preparation and making sure that the manner of presenting it was proper. This is therefore the first opportunity I have had to raise this matter in a responsible manner before the house. One day is not undue delay, even on the precedents Your Honour read to me. Certainly in view of the seriousness of this question, and the responsibility placed upon a member who raises it, a day's delay is not undue delay.

With all due respect to Your Honour, therefore, now that I have placed the facts before you and brought myself within the scope of the precedents you quote, I believe I should have satisfied the Chair and the house that I brought this matter forward at the first reasonable opportunity.

• (3:00 p.m.)

Mr. Speaker: The hon. member has repeated very forcefully the arguments he made to me a few minutes ago, and to which I listened for the second time with interest and attention. This is a question of judgment. Really, there is no hard and fast rule by which the Speaker can decide. The Chair has precedents to guide him. The Speaker must go by these precedents and follow the rules, and then he must form a judgment. I do not pretend that my judgments are right all the time. I admit that I have made my share of rulings which perhaps were not what they should have been; but I must go by the