

the Parliament of Canada by hon. gentlemen opposite, whether it be a Government measure or a private measure. It has always been claimed that this is a free country and this a free Parliament where our rights are settled, where the free expression of the opinion of the Canadian people is given, and where legislation is moulded. That has been the history of this Parliament hitherto. We object Sir, to the resurrection of musty precedents, to justify unwarranted decisions. We object to the arbitrary and unjustifiable expansion of the rules beyond the lines which they were intended to follow in this or in any other parliament. We say that we should deal with these questions in the light of experience, and also in the light of what is best for the future. Hon. gentlemen surely do not want to lay down precedents to-day which will meet them perhaps before they think they will, and which, if applied in the way they have endeavoured to apply the rules, they would resent. I have endeavoured to deal with the question, in the light of all the authorities I could find and with the view of finding the proper solution. I submit that there is no parliamentary rule in existence to-day that warrants Mr. Speaker taking the Chair while the Committee of the Whole House is sitting, without a report from the Chairman of the committee. I submit that that is beyond question the rule of Parliament; it is the law of Parliament, and hon. gentlemen opposite cannot find anything to the contrary, or any precedent that would justify the subversion or the putting aside of that well-understood principle.

Mr. J. A. M. AIKINS (Brandon): The question before the House is, as I understand it, was the Speaker, on the evening of the 15th March, justified by precedent or correct in resuming the Chair when the House was in Committee of the Whole, with a chairman in the Chair, but when there was great disorder? To arrive at a proper conclusion on this question, it is necessary to know what the facts were, and then what is the law applicable to that state of facts. As I understand them, the facts were that the House was in Committee of the Whole, the Chairman was in the Chair, an amendment had been moved, and the point had been raised some eighteen hours before the occurrence out of which the Speaker took the Chair that the amendment was out of order. During the debate the right hon. the leader of the House expressed the view that, as a similar point of order had been decided previously, it was only proper that the Chairman should decide the question. The Chairman, however, did not act immediately on the suggestion, but allowed the debate to continue. The expression of the right hon. the leader of the House was:

I think it will be desirable to have your ruling on the subject so that it might be decided, if necessary, by an appeal.

As I have said, the Chairman did not act at once on the suggestion; but eventually he rose in order to give his ruling, as will be seen on page 6518 of 'Hansard':

The Chairman: The question—  
An hon. Member: Mr. Chairman—

I presume that if proper order had been observed, when the Chairman rose to give his ruling, no hon. gentleman should have stood. When the hon. gentleman referred to stood, while the Chairman was standing, some hon. gentlemen on this side of the House called 'order.' Immediately there was a response from the other side of the House in the form of shouts 'free speech' and 'shame.' The hon. member for St. John rose in his place. Was he in order? He knows himself. I imagine that, as he rose in his place, knowing the temper of the gentlemen behind him, he may have thought that he was leading the Tuscans, that before him was Horatius at the bridge supported by Herminius and Lartius guarding the bridge, and that it was incumbent upon him to take the leadership in the attack; or he may have thought that he was the great Lord of Luna moving with stately stride and, seeing his followers behind him, cried: 'Will ye dare to follow if Astur clears the way? So he moved out of his seat into the gangway. Was that in order? As reported in Hansard, he states: 'I was angry.'

Mr. PUGSLEY: Hear, hear.

Mr. AIKINS: He stated that he was angry, through and through.

Mr. PUGSLEY: Hear, hear.

Mr. AIKINS: Was that in order to proceed along the gangway?

Mr. PUGSLEY: In defence of the rights of Parliament and in defence of free speech.

Mr. AIKINS: When the Chairman was standing, and then what? We find what the hon. member for St. John did when so angry. He said:

I emphasized in the strongest possible way the fact that the hon. member for Humboldt was on his feet and that he was entitled to some consideration of the Chair.

Was on his feet? During the time that the Chairman was on his feet? That is not being in order. He emphasised it in the strongest way possible. Emphasised how? In what way does an angry man emphasise his anger and indignation in the strongest way possible when he has not a gun? He does that generally with uplifted fists and mighty shouting. How the hon. gentleman did that hon. members of the House know. He says: 'I did not touch the Chairman.' Perhaps not, but