

Mr. WHITE: I will accept that.

Mr. PUGSLEY: My hon. friend is repeating that he himself saw the Chairman threatened with violence. That is absolutely without foundation. I repeat that the Chairman himself created the disorder by disobeying the rules of the House, and by trying to prevent free discussion of an important question which was then before the committee. All I sought to do, and I did it as emphatically as I could, was to induce the Chairman to obey the rules of the House, and to allow the hon. member for Humboldt (Mr. Neely) to exercise the right which it was the duty of the Chairman to permit him to exercise.

Mr. WHITE: I dissent entirely from what my hon. friend says as to the action of the Chairman. But, admitting that what he has stated is correct—I do not admit it for a moment, but simply for the sake of argument—that the Chairman in his opinion was not acting properly, what was the duty of my hon. friend in the circumstances? If the Chairman in his opinion was out of order, was that any justification for the hon. member for St. John (Mr. Pugsley) putting himself out of order? I accept what my hon. friend says, that it was not his intention to make any assault, or to use any improper methods towards the Chairman of that committee; but we must gather from a man's acts what his intentions are from what he appears to be doing. Now what was the appearance that my hon. friend gave to the House? I accept entirely his statement that it was not his intention to assault the Chairman; but he gave the hon. members of this House every reason to believe that he intended to assault him.

Mr. PUGSLEY: My hon. friend forms a member of the majority of this House. If he thought from appearances that my intention was to assault the Chairman, why did he not do his duty and ask the Speaker to punish me?

Mr. WHITE: This matter happened very suddenly. You, Mr. Speaker, intervened at the precise moment when my hon. friend (Mr. Pugsley) was giving the appearance I have indicated. I think that probably the Chairman would have been able to protect himself in the event of his being called upon to do so, but there was not only tumult when you, Mr. Speaker, intervened, but the appearance of an attempt to assault the Chairman. At that moment the Speaker very properly intervened. I would ask my hon. friend from South Wellington (Mr. Guthrie) what was the appearance of the House at that time? Was it not that of tumult, disorder, an appearance of assault upon the Chairman, the House out of hand? What is the use of rule 14? It says

that the Chairman shall maintain order. The Chairman was not maintaining order; but order must be maintained; it is the first law of the universe, let alone this House. It being, as I have said, the special function of the Speaker to preserve order, the Speaker very properly rose from his place in the House and assumed the Chair on the precedents established, and because, as a matter of fact, the Chairman of the committee was not maintaining order. So much for that branch of the case. It seems to me that it is perfectly clear why you took the Chair, Mr. Speaker, and it is perfectly clear that you also had the right, on the constitutional precedents I have mentioned, and on general principles, to take the Chair.

Now, we come to the question of instructing the Chairman to put the question. My hon. friend from Portage la Prairie has dealt with it, but I will go farther than he has. I will give, with great deference, my own view. Circumstances might arise in which the Speaker, in the exercise of his judgment, and for the purpose of preserving order, would be perfectly justified in giving such an order as be deemed proper to the Chairman of the committee for the purpose of keeping order.

Mr. GUTHRIE: If the Chairman did not obey him what would happen?

Mr. WHITE: My hon. friend for Portage la Prairie answered that. Do not beg the question; either the Speaker has authority or he has not. If he has not authority, then the word that he speaks to the Chairman is a nullity and it has no validity. The Chairman is presumed to know the rules, and assuming that the contention of my hon. friend is correct that the Speaker had not the authority to give him the order, then it becomes a mere nullity, and the Chairman could act upon it or not as he deemed proper. But he had given this decision because the decision comes properly under rule 18. Under rule 18 the Speaker 'may permit debate of the point of order before rendering his decision.' That was the position.

Mr. McKENZIE: In a ruling which we had in this House a few days ago, it was held that 'may' is equivalent to 'shall.'

Mr. WHITE: I do not agree with that.

Mr. McKENZIE: That is a rule of the House.

Mr. WHITE: I think not. But let me refer to that for a moment. What was stated by the Prime Minister was that it had been customary and usual to permit debate. Did he say to permit unlimited debate? It would be a very dangerous precedent in this House to practically cut out the words that 'the Speaker may permit debate' and take the rule as reading that