

*Privilege*

whether one is standing or sitting. If there is any contempt in this House, it is contempt for the truth.

I am sure that my colleague for Regina—Lumsden will defend himself. But I am here to tell you, Mr. Speaker, that any video tape or any other evidence will show that in the midst of a great deal of heckling and a vote going on I was engaged in a conversation with my colleague right here. In respect to which and in order to pursue it I moved myself in her direction. I may indeed have raised myself an inch or two from my chair. That did not, in my mind, constitute a vote.

**Some hon. members:** Oh, oh!

**Mr. McCurdy:** I would suggest, Mr. Speaker, if the member is doubtful about what erect is, what standing is, then that member should review all the tapes and look at the way in which this member has consistently voted ever since he has been here. It is to stand erect and to bow his head at every occasion. That did not happen yesterday.

We have had the Liberal proponent of the Conservative point of view suggesting that my name was called by the Clerk. The Clerk generally assumes that every one in a row is going to vote either in the affirmative or the negative, whether that member stands or not. Very often, as you know, Mr. Speaker, names are called before people have even contemplated standing up, or long afterward, so it is patently ridiculous to use that as a criterion.

I am here to tell you, Mr. Speaker, and this House that it was perfectly clear that I did not stand, did not intend to stand. I think it can be no more than an excruciatingly childish malevolence that would have any member in this House accuse me of acting in an improper way. I have not done so. I am not doing so. I will not do so. I resent the accusation.

**Mr. Les Benjamin (Regina—Lumsden):** Mr. Speaker, the first point I want to make is that the point made by the hon. member from Halifax is well taken. *Hansard* shows no recording of anyone saying: "Nay". Yet there were some hon. members who voted nay. So what?

Second, I believe the government Whip made a point about how members voted on a voice vote of yeas and nays. I defy that hon. gentleman—and I know that the Chair would not even attempt, nor would the Clerk—to

pick out every hon. member present in the House who said "yea" and every member who said "nay".

The Speaker goes by the number of decibels or the amount of volume from the "nays" and from the "yeas". I have often thought that I would like to get a left-eared hearing aid for the Speaker. I thought that the "nays" had it, but he said they did not. That is beside the point.

If the member were recorded as having voted twice on the recorded vote, then one would obviously be in contempt, although no Clerk of any competence—and our Clerks possess the highest possible competence—is going to put a member's name down each way on a vote. They are just not going to do it. They will draw the matter to the attention of the Chair. The Chair will ask the hon. member for clarification, which he did in the case of my colleague from Windsor—St. Clair, and which he did in my case. I replied, as quoted by the Liberal Whip who quoted *Hansard* accurately, making it plain that I was voting "nay". That was the end of that.

The government Whip now tries to make a federal case out of it. Frankly, Mr. Speaker, if you ruled I voted "yea" and not "nay" I could not care less. Everybody here knows that we were working within the rules of Parliament, within the rules of this House, to do what we could to prevent the government from calling the bill on the goods and services tax. That is perfectly in order within the rules. Should we choose to divide in one party two ways on a bill from a member of that one party, surely that is up to us and to the individual members. I am certain that it would be of no concern to the Chair.

I stated that I thought I gave what certainly was a satisfactory explanation to the Acting Speaker who was in the chair yesterday as to clarifying where my vote was to be cast. He so ordered and the results were announced by the Clerk. I assumed that that was the end of that.

I agree with my colleague who said that he did not see anything here about a question of privilege. It may be on a point of order. Points of order were raised yesterday and were answered to the satisfaction of the Chair. I am assuming that that would have been and should have been the end of that.

Mr. Speaker, I will leave it to your good judgment. Whichever way you say that I voted and whichever way you say that the hon. member for Windsor—St. Clair