

*Labour Conditions—Strikes*

Mr. SPEAKER: Hon. members know perfectly well that a ruling of the Speaker is not debatable. I have given some hon. members the opportunity to speak on this question because I wanted to have their views, but I must say that the Minister of Veterans Affairs is right. I would ask hon. members to turn to *Beauchesne's Parliamentary Rules and Forms*, third edition, at page 747, where they will find the following:

February 19, 1932

Honourable George Black, Speaker.

The Speaker's refusal to permit an appeal from his decision that it is not urgent to adjourn the house for the purpose of discussing an urgent matter of public importance being appealed from was confirmed by the house.

I would therefore ask the house to proceed with its business.

Mr. ROSS (St. Paul's): The ruling of Mr. Speaker Black and the ruling of Your Honour to-day are on a different footing. Mr. Speaker Black's ruling was based on something which is not comparable with the motion now before the house; the circumstances are altogether different. This is a question of urgency.

Mr. SPEAKER: Order. I would ask hon. members to proceed with the business of the house.

Mr. BRACKEN: Mr. Speaker, may I have the privilege of making an observation with respect to your ruling? The Minister of Veterans Affairs has referred to a ruling of the Speaker on February 19, 1932, and you have used it as an argument in support of your present decision. I believe the house should be allowed to have that earlier decision read to them. It is as follows—page 747, *Beauchesne*, third edition:

Mr. Ralston, from his place in the house, asked leave under standing order 31, to move the adjournment of the house for the purpose of discussing a definite matter of urgent public importance, and stated the subject to be:

The recent dismissal of between 200 and 300 officers and men of the Royal Canadian Air Force without regard to their families, their overseas service or their period of enlistment for service, and the embarrassing situation which may arise if they were forced by the necessity for employment to accept service with another nation.

Mr. Speaker ruled that the statement was not in order and that the matter was not one of urgent public importance and moreover that there was no appeal from his decision.

Mr. Ralston appealed from the Speaker's refusal to permit an appeal from his decision.

Mr. KNOWLES: That is the point.

Mr. BRACKEN: That is the appeal I am making now—an appeal against Your Honour's right to make such a decision. The fact that the house supported the Speaker fourteen

[Mr. Knowles.]

years ago on an entirely different matter is no reason why the house should support the Speaker to-day on this important matter.

An hon. MEMBER: No doubt that will help the steel strike.

Mr. GLEN: If I may be allowed a word, Mr. Speaker, subsection 3 of standing order 31, which the hon. member has quoted, reads:

He then hands a written statement of the matter proposed to be discussed to the Speaker who, if he thinks it in order and of urgent public importance, reads it out and asks whether the member has the leave of the house.

On several occasions when I occupied the chair the same question arose, and I had occasions to refuse to allow an appeal, basing my ruling upon the decisions already quoted by the Minister of Veterans Affairs that it is a matter lying solely within the discretion of the Speaker himself whether there is that urgency which should compel the house to discuss the matter. The Speaker now has given his ruling, in which he is supported by the ruling given by the hon. member for Yukon (Mr. Black) when he was Speaker, and by another ruling appearing on page 752, given by Mr. Casgrain when he was Speaker. The rule and practice, and I think the intention of the standing order, has been that the Speaker shall be the judge of whether or not there is that urgency which would justify an appeal to the Chair. On several occasions I must say I ruled that there was no appeal from this decision, and that no appeal should be granted.

Mr. SPEAKER: I should like to put on record the ruling just mentioned by the Minister of Mines and Resources (Mr. Glen), that given by the Hon. Pierre Casgrain, then Speaker, on March 10, 1939, appearing at page 752 of *Beauchesne*:

The Speaker's opinion that a certain matter is not urgent and cannot be discussed under a motion to adjourn the house in pursuance of standing order 31 is not subject to appeal because it is not a decision on a point of order.

I ask the house now to proceed with its business.

Mr. BRACKEN: Then I must rise to appeal your decision that there can be no appeal, and I do so on the ground set out by Colonel Ralston, in which he was supported by the Minister of Veterans Affairs fourteen years ago.

Mr. MACKENZIE: We were turned down by the free judgment of this house.

Mr. BRACKEN: We may be turned down again to-day.