

Question of Privilege

and the purport of the practices of this chamber that when after a month, two months or six months a member has satisfied himself that he has a good case he can come forward and raise the matter as a question of privilege.

I suggest to the hon. member that there is no precedent whatever that I have been able to ascertain or that I could quote in support of the hon. member's point of view. With regret I must maintain the ruling I made a moment ago, that this matter having been raised—and it is substantially the same matter that the hon. member now raises—and put before the house by way of questions, and particularly as a motion by the hon. member for Halifax under standing order 26, it cannot be considered now.

● (2:50 p.m.)

Mr. Nugent: Mr. Speaker, I believe I am entitled to present my case to prove to the Chair that this is the earliest opportunity.

Mr. Speaker: Order, please.

Mr. Hellyer: Mr. Speaker, may I have a moment to speak on a point of order?

Mr. Speaker: Order, please. If the minister of defence is allowed to make a statement now, we will obviously have a debate.

Some hon. Members: Agreed.

Mr. Speaker: The rule of the house is very clear and simple. I suggest to the hon. member for Edmonton-Strathcona that he is bound by it. This ruling is common practice, and I am sure that hon. members will want to respect it and abide by it. I am convinced it is the correct ruling under the present circumstances.

Mr. Nugent: I am bound by your ruling, Mr. Speaker, but I still think I am within the rule, and I think I can so persuade Your Honour. I believe it is one of the oldest rules in this house that a member cannot be deprived of his right to speak and to see whether he is within the rules, and I ask Your Honour for that right.

Mr. Speaker: Order, please. Of course every member has the right to speak, but he can only do so within the rules. There are rules governing debate, rules which specify when a member can intervene, and these rules govern all members including the hon. member for Edmonton-Strathcona. I realize how important this matter is to him and how important it is to the Minister of National Defence, but if the hon. member thinks this is

a matter which should be considered by the house there are other ways of doing it. He can give notice of a motion which will be placed on the order paper. I realize this is not much consolation to the hon. member, but this is what the rules provide for. The Chair did not make the rules, but I am required to ask hon. members to co-operate with me to have them respected.

Mr. Nugent: Mr. Speaker, I am not asking to be relieved from the rules. There are very strict and stringent rules on how a member may rise in his place and take the responsibility for charges which are made in the house. These require extreme care and caution if the house is to consider them; they cannot be made recklessly. It is therefore the duty of the member to be very sure of what he is doing and not to make this kind of charge without proof. I have followed that rule, and I obtained the proof during the week end. I therefore thought it my duty to raise it in the house in this manner.

Mr. Speaker: The hon. member is reiterating his position. If parliament is to function at all, if this House of Commons is to operate in the way in which every hon. member wants it to operate—and I am sure the hon. member for Edmonton-Strathcona wants it to operate with order and within the rules which hon. members have established—I would ask the hon. member to assist the Chair and to recognize that I have no alternative but to ask that we proceed with the orders of the day.

Mr. Nugent: May I then ask if Your Honour is ruling that having only obtained the evidence during the week end, and having to consider the proper form in which it should be presented and to make sure I had sufficient evidence to present to the house today, this is not the earliest opportunity and that I have no right after a delay of one day to make this charge bearing in mind my responsibility to the house?

Mr. Speaker: Order, please.

Right Hon. J. G. Diefenbaker (Leader of the Opposition): Mr. Speaker, may I rise on a question of privilege. With that respect to Your Honour which I have shown at all times, may I suggest to you, sir, that to rule out the motion to be made by the hon. member for Edmonton-Strathcona without a question of order having been raised by any member of this house was not giving the hon. member the right which he has to argue