

Hon. Mr. COTÉ: May I rise to a point of order? I cannot quite understand the ruling of His Honour. Parliament has always been considered the last court of recourse in the land, and we are in full session assembled, sitting as a court of Parliament. Does the ruling go to the extent of saying that we in this court cannot verbally or orally mention or recite the evidence taken by a committee of this House? Or did His Honour simply intend to rule that when the evidence of these proceedings of the Senate Committee is read here it should not be taken down by our reporters and should not be published as part of the Senate Debates? If the second prohibition is not what is intended by His Honour, I am sure there will be some disagreement.

The Hon. the SPEAKER: Does the honourable senator intend to appeal from my decision?

Hon. M. COTÉ: I want to understand the decision correctly. I want to make sure whether—

Hon. Mr. COPP: I submit my honourable friend is entirely out of order in discussing the point of order. His Honour the Speaker has already decided.

Hon. Mr. COTÉ: I am asking His Honour whether his ruling—

The Hon. the SPEAKER: I have—

Hon. Mr. COTÉ: I want his interpretation.

Hon. Mr. COPP: Sit down. His Honour is addressing the House.

The Hon. the SPEAKER: I have given my ruling. Whether it is right or wrong is another matter. Hon. Senator Coté may appeal from my ruling, but he cannot discuss it.

Hon. Mr. MURDOCK: And Your Honour knows I have as much chance of proceeding as I had in filing my minority report.

Hon. Mr. COTÉ: I rose, not to question or appeal the ruling of His Honour, but simply to obtain an elucidation of the ruling so that I might know how—

Hon. Mr. COPP: I submit there is no responsibility on the part of His Honour the Speaker to elucidate or explain his ruling.

Hon. Mr. COTÉ: —how the House will be governed by it. I was hoping the ruling meant if the evidence is read here it should not go on Hansard. If it means something else, I submit to the ruling.

Hon. Mr. COPP: I submit that was not the ruling of His Honour. On the point of order it was objected that the honourable member from Parkdale (Hon. Mr. Murdock) had no

right to read this evidence, because as soon as he had read it it became part of the Senate Hansard, and was thus further publication of the evidence. Such publication is against the law. Then His Honour the Speaker ruled on that question. It was suggested by my honourable friend to my right (Hon. Mr. Harmer) that inasmuch as part of the evidence had been read it should be expunged from the record.

Hon. Mr. ROBINSON: I do not want to take advantage of the honourable senator who is dealing with this matter. Perhaps I should have read the whole of section 322 of the Criminal Code so as not to leave a wrong impression with honourable members. In addition to what I read, the section continues:—if the report is published without authority from or leave of the House in which the proceeding was had or contrary to any rule, order or practice of that House.

I take that to mean that the House may grant leave if it wishes to do so.

Hon. Mr. MURDOCK: There it is, you see. I am a member of the Senate, but I have to get permission to defend an honourable woman.

Hon. Mr. ASELTINE: You are not counsel for the defence.

Hon. Mr. MURDOCK: Am I not?

Hon. Mr. ASELTINE: She had two lawyers.

Hon. Mr. MURDOCK: I am counsel for my own conscience, and I filed a minority report in which I stated that there was a frame-up against an innocent woman by two detectives and the petitioner.

I would respectfully ask His Honour whether I am in a position to proceed any further or not.

Hon. Mr. COPP: You have a perfect right to argue the case.

Hon. Mr. MURDOCK: I cannot very well argue—

Hon. Mr. ASELTINE: I object to any consent being given.

Hon. Mr. MURDOCK: I cannot very well argue without bringing out the facts on which my judgment is based, and those facts are contained in the record of the evidence that I heard in the committee. I do not know how to argue without showing what I am talking about.

Some Hon. SENATORS: Question!

Hon. Mr. MURDOCK: I am the one who is asking the question.