

other than those conferred upon him by the rules. He is the functionary who sets into operation the conditions under which this House can assert its rights and privileges, and who provides for penalties being effected. The personality of the Speaker has no significance in the matter; he is but a necessary element in the machinery of this House. The theory of my hon. friend the Minister of Finance in regard to this question is entirely aside from the matter for the reasons I have given, and the whole history of parliamentary institutions shows that the status of the Speaker is as I have stated it; when he comes into the Chair the House is in a position to deal with the report of the Committee of the Whole when that report is submitted to him. I have quoted from Redlich the principle, laid down with absolute clearness, which sets forth the solemnity that attaches to the Speaker's leaving the Chair and the Chairman of the Committee of the Whole taking his seat, and the same solemn formality occurs when the Chairman of the committee on all such occasions reports progress to the Speaker and asks that the committee have leave to sit again. While these things may, to a certain extent, seem to hon. gentlemen who sit in the House and observe the proceedings to be forms of supererogation, they have, nevertheless, a parliamentary significance which is of the utmost importance, and which lies at the very bottom of the determination of this question. The Chairman of the Committee of the Whole, except in so far as he cannot deal with certain questions, is supreme within his own sphere, and with regard to questions referred to the Committee of the Whole by the House itself.

There has been some confusion of ideas with regard to this matter. We must remember that there is a great deal of difference between the conditions which obtain in England and those which operate in Canada in respect of the functions of the Speaker. In England the Speaker is purely a judicial officer. He is a functionary who is selected because of his particular qualifications, who does not change with every change of government, as in this country, and who becomes a permanent part of the British parliamentary system. The history of the Speakers of the British Parliament during the last thirty or forty years shows the status which the Speakers have obtained under their system, and reveals conditions which differ from those existing in this country. I quoted from Redlich this afternoon to show in the British House, when the House went into Committee of the Whole the Speaker went out of the Chamber altogether. Does that occur in Canada? No; on the contrary, the Speaker remains in the Chamber,

and, as a matter of parliamentary practice, he is supposed to be here and have the right to do certain things which the Speaker of the British House does not pretend to have. The Speaker of the British House does not interfere in matters that are before the Committee of the Whole for discussion, and never expresses an opinion upon them. In this connection Bourinot says:

When the House is in Committee of the Whole the Speaker has an opportunity, should he think proper to avail himself of it, of taking part in the debate, but this is a privilege, however, which, according to the authorities, he will only exercise on rare occasions and under exceptional circumstances.

During the course of three parliaments, I have seen two Speakers sitting upon the treasury benches and being submitted to a cross-examination from hon. gentlemen who are now sitting opposite in regard to Supply, and with respect to matters which they were asking to have passed upon for their particular departments. This procedure, so far as I can judge, does not exist in England. Supposing Mr. Speaker was sitting where the Minister of Finance now sits, and was explaining to the Committee of the Whole, the members of which were considering his Supply, matters which related to the money which was to be expended under his control, and supposing any hon. member in the House proceeded, by reason of the strength of his opposition to Mr. Speaker's estimates, to break the rules or create disorder, imagine how absurd it would be if it was held that Mr. Speaker, who was asking the committee to vote the money for his department, could at his own whim and fancy, leave his seat, take the Speaker's Chair, and declare that the Chairman of the committee should not be there! In such a case the Speaker could at any time take the Chair and declare the whole thing had to be settled and brought to a conclusion, and that is the proposition which the hon. gentlemen opposite are seriously putting forward. The question as to whether or not there is disorder in committee is a matter for the House to decide, and this is not a question subject to the opinion of Mr. Speaker. Bourinot lays down, on page 281:

The Speaker, however, cannot be called upon to decide a question of law nor to express opinions on matters which are for the determination of the House itself.

As I have said, under rule 14, the question as to whether or not there is disorder is a matter entirely for the House to decide, and upon which Mr. Speaker has no right to express an opinion, more particularly when the Chairman of the Committee of the Whole is seized of the question and the matter is