

Mr. LANDERKIN. The member for Argenteuil (Mr. Abbot) has gone out.

Mr. BOWELL. Do you mean, Mr. Speaker, that the member loses his vote when he leaves the House, or when he goes from one seat to another in the House?

Mr. SPEAKER. When he goes from one seat to another. That is the reason that hon. members call out "order, order," when a member is seduced to leave his seat.

Mr. TROW. The member for Gaspé (Mr. Fortin) must have left his seat in the gallery to come down here.

Mr. BLAKE. Then, under your ruling, the vote of the member for Gaspé must be struck out. If he heard the question from the gallery, he must have left his seat, because we see him voting here.

Mr. SPEAKER. That is just what I pointed out before, the inconvenience of the practice when a man hears the question put in the gallery.

Mr. BLAKE. I ask your ruling.

Mr. SPEAKER. I shall order his vote to be struck off on that ground.

Mr. LANDERKIN. In reference to the case of the member for Montmagny, who has left his seat since the vote was taken?

Mr. LANDRY (Montmagny). Mr. Speaker—

Mr. SPEAKER. I think, owing to the long discussion on the point of order, you had better not call attention to members having left their seats. I find Mr. Ray's name is not recorded. I think the Clerk called out Mr. Reid. You voted for the motion?

Mr. RAY. Yes.

Mr. HESSON. The member for Marquette is not in his place.

Mr. SPEAKER. I declare the motion lost.

Mr. LANDERKIN. Mr. Speaker, if the accident of hearing—

Several hon. MEMBERS. Order.

Mr. SPEAKER. I think it desirable that some understanding should be arrived at on these points, in regard to which there is no precedent recorded.

Sir JOHN A. MACDONALD. This question about the gallery has been raised for the first time. It would be convenient to have that matter settled. I do not care which way it is settled, so long as it is settled, whether in future we are to consider the gallery a part of the House or not. That is one point. The other is whether an hon. member who, before he votes, or after he votes before the vote is declared, moves from one seat to another, loses his vote. The practice has been that the gallery is not considered a part of the House. In England the practice is otherwise, and the reason of the rule is what you have stated. We had better have that decided in regard to the future. As to the second point, I should be very glad if the ruling is carried out that a member loses his vote by leaving his seat. It is exceedingly inconvenient, disturbs the taking of a vote, and causes very unseemly noises in this House, so I should be very glad indeed if it is decided that every member who votes shall vote from the seat he happens to be caught in when the vote is put, and shall remain there until the vote is declared. If it is the general opinion of the House, I think it would conduce to the progress of business and prevent unseemly noises.

Mr. MACKENZIE. Perhaps it would be well to make those who make the noises lose their votes as well.

Sir JOHN A. MACDONALD. Perhaps so. As to the gallery, the practice ought to be settled.

Mr. SPEAKER.

Mr. BLAKE. The hon. gentleman comes a little too late with these observations. You have already ruled, Sir. You have ruled, first, that the gallery is a part of the House and an hon. member who hears the motion there does not lose his vote; and you have ruled, secondly, that an hon. member who changes his place during the progress of a vote, after the motion is put and before the vote is declared, does lose his vote. Therefore, it follows that the member for Gaspé, if he had remained in the gallery could have voted from the gallery. You have settled these questions. The leader of the House proposes that these questions should be unsettled in order to have them settled again. First, the vote of the hon. member for Gaspé was allowed, notwithstanding the fact that he was in the gallery when the question was put. Afterwards, it was struck off, because, having heard it in the gallery, he moved from his seat and came down here to vote. The vote of the member for Montmagny was also about to be struck off for the same reason, when you very properly suggested that it should not be noticed, owing to the long discussion on the point of order. Therefore, the matter is decided, unless any proposal is made to reverse your decision, or unless you, upon further consideration, decide to recall it. It follows from these decisions that, in accordance with the view of the hon. gentleman, which you have so far adopted, we can in future speak from the gallery.

Sir JOHN A. MACDONALD. I, of course, acquiesce in the proceedings of my colleagues, and on the whole agree, first, that the member, if he heard the motion from the gallery, had a right to vote; second, that if he leaves his seat after the motion is put, he forfeits his right to vote. No doubt that these two points are now settled, and my suggestion is that some rule should be made to cover them.

Mr. SPEAKER. I hope it will be settled one way or the other in consequence of this discussion. The question I put to the hon. member for Gaspé was "Did you hear the motion?" I did not ask him where he heard it. He said he did hear it, and I ruled that as I understood the rules of the House that was sufficient. But it would be a very inconvenient practice, if continued, that the gallery should be considered part of the House for the purpose of speaking or voting, and I would like the House therefore to authorize me to declare that for the future the gallery is not part of the House.

Mr. BLAKE. If the question is submitted to the House for decision, it had better be disposed of only after sufficient time for consideration. I am very glad the First Minister who defended the practice ten minutes ago, now says it is very inconvenient. I quite agree with him.

Mr. ABBOTT. We must not omit consideration of the question as to how far we would abandon our jurisdiction over the galleries if such a rule is made. We must not give up our right to consider the galleries as part of the House for admission of strangers, or for the exclusion of strangers.

Mr. SPEAKER. As part of the House except for purposes of speaking or voting.

Mr. LANDERKIN. If hearing the motion gives a right to vote, I may mention that the other night I was standing in this porch and heard a motion quite distinctly, and when it can be heard distinctly there, why not be allowed to vote just as well as when one can hear it from the gallery?

#### BILL INTRODUCED.

The following Bill (from the Senate) was introduced and read the first time:—

Bill (No. 107) to amend Acts 40 Vic., cap. 49, and 45 Vic., cap. 24, being Acts relating to Permanent Building Societies and Loan and Savings Companies carrying on business in Ontario.—(Mr. Cameron, Victoria.)