

Northern Ontario Pipe Line Corporation

Robinson (Bruce)	White (Hastings-Frontenac)
Rowe	White (Middlesex East)
Small	Winch
Stanton	Zaplitny—50.
Stewart (Winnipeg North)	

Mr. Martin: Mr. Speaker, I was paired with the hon. member for Cape Breton South (Mr. Gillis). Had I voted, I would have voted to sustain the chairman's ruling.

Mr. Speaker: I declare the chairman's ruling sustained.

Mr. Fulton: Mr. Speaker, I move—

NORTHERN ONTARIO PIPE LINE CORPORATION

CONSTITUTION OF CROWN COMPANY TO CONSTRUCT PIPE LINE, MAKE SHORT-TERM LOANS, ETC.

The house resumed, from Thursday, May 31, consideration in committee of Bill No. 298, to establish the Northern Ontario Pipe Line Crown Corporation—Mr. Howe (Port Arthur)—Mr. Applewhaite in the chair.

Mr. Fulton:—seconded by the hon. member for Lanark that this house do now adjourn. On a point of order, may I say that the order of the day for the house to go into committee has not been read.

The Deputy Chairman: The house in committee of the whole on Bill No. 298. The question is on the motion made by—

Mr. Fleming: On a point of order—

Mr. Fulton: The order of the day has not been read.

The Deputy Chairman: The committee knows full well that I have no duty that I can perform at the moment but to put the motion the legality of which has been ruled on. Those in favour of the motion will please rise.

Mr. Knowles: I rise on a point of order.

Mr. Fleming: On a point of order—

During the taking of the vote:

Mr. Fleming: I want to be heard on a point of order. You have no right to shut us up.

Some hon. Members: Sit down.

Mr. Fleming: Have we come to fascism?

Mr. Fulton: Mr. Chairman, I am standing on a question of privilege.

And the result of the vote having been announced: Yeas, 144; nays, 51.

The Deputy Chairman: I declare the motion carried.

Mr. Fulton: Mr. Chairman, on a question of privilege I challenge the vote. I was counted on both sides of the motion although

[Mr. Speaker.]

I made it clear that I was remaining on my feet on a question of privilege, on which I had risen before you put the question. There are therefore now two questions before the committee. There is the original question of privilege on which I rose and there is the question of privilege with regard to the vote. With respect to the first question of privilege, I submit that you are improperly in the chair because the order for the committee was not read; because the Speaker left the chair—he ran away from the chair—even although a motion was before him which was perfectly in order. Hence on those two grounds, namely that the house had before it unfinished business and second, that the order of the day for you to take the chair had not been read, these whole proceedings and this vote are a nullity. Second, as I have said with respect to the vote itself, the vote is a nullity because I was counted on both sides although I made it clear at the time the Clerk pointed to me that I was standing on a question of privilege and not for the purpose of casting a vote. I place these matters before you and I require a ruling on both points, Mr. Chairman.

The Deputy Chairman: I will deal first with the second question raised by the hon. member for Kamloops. He states that through inadvertence—he being on his feet when the committee was being counted—although he indicated that he did not intend to vote, he was included in the vote when he should not have been. I will direct that the vote be adjusted accordingly. The other question which the hon. member has raised as a question of privilege is, I think, a question of order.

Mr. Fulton: Very well, a point of order.

The Deputy Chairman: It is the first thing, now, on which I am not in a position to rule. He is calling in question proceedings of the house at the time when Mr. Speaker was in the chair.

Mr. Fulton: I am calling in question your assumption of the chair when no order had been read for you to take the chair.

The Deputy Chairman: The hon. member for Kamloops is raising a point of order that I am in the chair illegally?

Mr. Fulton: Yes.

The Deputy Chairman: Owing to action which took place at the time when Mr. Speaker was in the chair, I am not in a position to rule on the proceedings of the house prior to—