

Transportation

Mr. Pickersgill: Mr. Speaker, I am sure the hon. member for Bow River who has made a very reasonable suggestion, in which I had intended to join him, on reflection would wish to withdraw the last few words he used. If he would do that, I would join with him in the suggestion that the hearing of the appeal be adjourned so that we might carry on with something else, because I feel just as strongly as he does on this matter. After all, it was my motion. This sometimes seems to be forgotten. I think I too should be given the opportunity to judge and weigh this matter. I listened very carefully and the judgment did say that this is a very intricate matter. I agree. I think that all of us who are concerned with preserving the rules of the house would wish that Your Honour should hear a most considered presentation before the appeal is determined.

I am sure the hon. gentleman, when speaking with some warmth, did not wish to reflect on the Chair. I would suggest that Your Honour leave the chair and that we proceed in the way which the hon. member for Bow River has suggested. We could go on with clause 1. There also is an amendment in respect of it which perhaps could be disposed of. Also there may be some further general debate. I am not sure we would wish to carry clause 1 before we finally have determined the other matter, but we might spend some time on it. I fully recognize, as does the hon. member, how important it is that we uphold the rules of the house and have a right decision, whichever way it may go.

Mr. Churchill: Mr. Speaker, I think these suggestions should be carefully considered by Your Honour. We now are dealing with a new rule in respect of appeal to the Speaker. It is on a different basis than it was in recent years. This particular problem of whether the ruling of the Chairman should be placed in the hands of the members is something which has not cropped up before.

Under these circumstances—and this may apply in the future—I think when the house is considering a subject which is as serious as this that we should have a break and that members of the house should not immediately be called upon to argue the point of order before Mr. Speaker, without having a full opportunity to study the judgment of the Chairman. It happens, in this particular debate, that we could go back into committee to deal with clause 1. We may in the future have occasions when we would not have anything

[Mr. Woolliams.]

quite so convenient to go back to; nevertheless, it is important that we have an opportunity to study the judgment.

Mr. Speaker: The hon. member of course is suggesting a change in the rules. I believe however that it would be the part of wisdom to deal with this particular case, which I think is complicated enough, and forget about what might happen in future circumstances.

• (4:30 p.m.)

In this particular instance obviously there is unanimity that hon. members be given an opportunity to study the ruling of the Chairman of the committee of the whole. Therefore I propose to leave the chair, so the committee may resume its work which was interrupted when consideration of clause 1 commenced.

Mr. McIlraith: Mr. Speaker, before you leave the chair I wonder whether the hon. member for Bow River (Mr. Woolliams) would withdraw the last few words of his closing sentence, which did not seem to relate to the—

Mr. Speaker: Order, please. It is my understanding that the hon. member for Bow River indicated he meant no reflection on the Chair.

Mr. Woolliams: Mr. Speaker, I would be the last to cast reflection. I may have used the words "could usurp parliament". I should like to thank Your Honour for giving us an opportunity to consider this ruling. It is important and I appreciate that generosity exercised within your discretion. I do not know when our remarks will be heard on this subject, but we will have some time to consider it, particularly if copies are made available.

Mr. Nesbitt: Mr. Speaker, I should like to refer one point to your honour for consideration in relation to the remarks of the hon. member for Winnipeg South Centre (Mr. Churchill). Because of unusual and important circumstances the question at issue, as referred to in the judgment of the Chairman of the committee, does not actually involve an interpretation of the rules. It is not a question of law but rather a question of fact.

Perhaps Your Honour would consider the suggestion that under similar circumstances when questions of fact must be decided they be referred to members of the house, and that when questions involving only interpretation of the rules are involved they be referred to Your Honour for decision. I just throw that