

attempt to decide in advance what your action might be under circumstances which we by no possibility can foresee. This matter has been argued upon special grounds, and I propose to argue it first upon broader grounds and then upon the special grounds touched upon.

I lay it down as a fundamental proposition, abundantly sustained by authorities, that you, Mr. Speaker, have a two-fold capacity. First, you are the spokesman of this assembly in dealing with other bodies—the Senate, the Crown and the departments of state. There is abundant authority for that proposition. To that you owe your position as the First Commoner of Canada. But there is another aspect of your duty, and that is the aspect with which we are dealing at the present time. You preside over the deliberations of this House, preserve the dignity of this House and the regularity of its debates, and, above all, preserve the order of this House; because, I consider one of your chief functions—certainly one of your chief functions in this House—is to preserve order, to prevent disorder, and to put an end to all disorder. Unless this is done, you could have no dignity and regularity of debate and the proceedings of this House and the business of this country would be retarded. Therefore, I hold that one of your principal functions is to preserve order and put an end to disorder. And I say that unless we can foresee the circumstances that are likely to arise, all the eventualities that may occur, unless we can bring before our minds all the degrees of disorder that may exist in this House, it is unwise for us to attempt to lay down a hard and fast rule that may fetter you in the future in dealing with disorders that may arise. Now, I turn to rule 5, which has not been quoted so far as I know in this discussion. It is general in character:

The Speaker shall preserve order and decorum, and shall decide questions of order subject to appeal to the House.

In other words, once the Speaker gives his decision, there must be a reference to the House if any one decides to demand such a reference. Fundamentally this House is master of its own procedure and its own rules, and it is on that ground that an appeal from the decision of the Speaker can be taken only to the House and without debate. The Speaker gives a decision; prima facie, it is good and valid; but if any member differs, he appeals to the House; and if the majority of the House decides that the Speaker is right, the matter is settled; it is settled conclusively, because as I said, the House is master of its own procedure and its own rules. Now, I hold, further, coupling what I have said as to the general duties of the Speaker, that

Mr. WHITE (Leeds).

the Speaker has a continuing authority, not only when the House is sitting, but also when the House is in committee—that the Speaker of this House is charged with the duty, insofar as he can discharge that duty, of preserving order in committee, if the Chairman of the committee is not able to preserve order.

Sir WILFRID LAURIER: That is the question.

Mr. WHITE: I am not saying that that is so; I am not begging the question.

Mr. NESBITT: With your permission, I would like to ask a question. The Chairman presides over the Committee of the Whole and Mr. Speaker over the House. But if it were not for the rules of the House, would any individual, no matter what you might call him, be authorized to preserve order?

Mr. WHITE: In answer to my hon. friend, we must fall back upon the rules. I stated that it is the essential duty, one of the first duties, of the Speaker, to preserve order in this House, and I said that in my view the Speaker had a continuing authority to preserve order when the House was in committee, if by any chance the Chairman of the committee was not able to preserve order. In other words, I take it that if there is disorder in committee which the Chairman cannot repress, the Speaker, whose duty it is to preside over and preserve order in the deliberations of the House, should interfere for the purpose of maintaining order. According to rule 14, which has been quoted by the hon. member from South Wellington (Mr. Guthrie), the Chairman of the Committee of the Whole House shall maintain order in the committee. I agree with my hon. friend that it is the duty of the Chairman to preserve order in committee if he can; but what happens if he is unable to do so? I quote further from rule 14:

The Chairman of the Committee of the Whole House shall maintain order in the committee, deciding all questions of order subject to an appeal to the House; but disorder in a committee can only be censured by the House, on receiving a report thereof.

As was pointed out by the hon. member for Portage la Prairie (Mr. Meighen) in his very able address with regard to this matter, the report of the Chairman in respect of disorder is confined to cases in which the disorder had to be censured; but we have to deal with a very different case. The case with which we have to deal is one in which there was grave disorder in the House, which disorder was beyond the control of the Chairman of the committee, and that is precisely what happened on