

member for Durham-Northumberland (Mr. Lawrence) who maintained that your last order or decision with reference to the hon. member for Nepean-Carleton (Mr. Baker) did not constitute a finding on the question of privilege. I think the hon. member ought to be disabused on that point.

**Madam Speaker:** Well, the hon. minister may raise all the points of order he wishes; of course he is perfectly free to do that, but perhaps he would allow me to listen to the hon. member for a while so that I can ascertain that. It is more than a courtesy; there is an obligation on the part of the Speaker to listen to questions of privilege. I am trying to do just that, although I have been somewhat distracted. Many members have been sending messages to the Chair. I must listen to hon. members and read the notes at the same time. I must say that it is quite difficult. I will continue to listen to the hon. member for Durham-Northumberland to understand whether he does have a question of privilege.

● (1640)

**Mr. Lawrence:** I wanted to indicate to you, of course, that any member rising in his place on a question of privilege must obviously prove to you—I know you know this, I am saying it more, perhaps, for the minister than for the Chair—that it is a personal matter and that it vitally and obviously seriously affects that individual's riding. I would like to claim that the question of privilege I am raising with you affects not only me but the other 100 members of both these chambers, who are also practitioners and who are qualified to practice in the law. I would like to submit to you that the question of privilege I am raising does affect them all. By the way, Madam Speaker, you may not be aware of this, and it is somewhat of an oddity, but there are exactly 100 members of the other place and this place who are today qualified to practice law. I think you certainly understand, Madam Speaker, if the hon. member does not, that when I rise in my place, I must speak in a personal way and point out to you what is happening or what has happened which effects my own personal rights and privileges in this House.

Having said that to you, Madam Speaker, I feel, and I hope you will agree, that the notice which I gave to you is in order and that there is no defect or question which arises in relation to it. I did give the notice to you at the very earliest possible time, namely, early this morning, when, for the first time, I received a copy of the judgment of the Newfoundland Supreme Court. Of course, both that decision and the continued determination of the government to proceed with the matter before the House, form the grounds for my question of privilege.

If I may say so, I feel that I have three burdens upon me to prove to you. The first one is that the matter the government is determined to bring before this House, and to which I am objecting, is a matter which, at the very least, is now of questionable validity, as far as the law is concerned. I would go further and say that the matter the government is forcing upon

us has now been proven to be illegal and, at the very least, it is not valid in law. That is the first burden which falls upon me to prove to you.

The second, I would say to you, apart from the 99 other practitioners in both of these chambers, and apart from the other members of the House of Commons, puts me in a difficult position, perhaps even more so than other members. I say this because I am sworn to uphold the law of this country. Other members may feel that they are equally—

**Madam Speaker:** Order, please. If that is the basis of the hon. member's—

**Mr. Lawrence:** No, I have three burdens.

**Madam Speaker:**—question of privilege, that is to say, that he has been sworn to uphold the law and he feels that to deal with the resolution on the Constitution is to do something which will cause him to be disciplined as a lawyer before the bar association of his province, then I am afraid it is very much the same question of privilege which was raised by the hon. member for Nepean-Carleton (Mr. Baker). The hon. member for Northumberland-Durham is using the same arguments used by the hon. member for Nepean-Carleton. I cannot hear those same arguments again.

It will be difficult to deal with these questions of privilege, which are similar, without referring to the ruling I have made on a previous one. It will be even more difficult for hon. members than it will be for the Chair. I just warn hon. members that they must choose their arguments extremely carefully in order that I may continue to listen to them.

**Mr. Lawrence:** Madam Speaker, in the very brief time I have been on my feet I was trying to outline to you a brief summary of the arguments I intend to proceed with. I appreciate that of necessity, you were engaged in a conference with the law clerk, and perhaps you did not hear me argue that I have three burdens upon me, as I understand it, to prove to you.

I will go back to the first burden very briefly, which is that the government intends to force upon me, as a member of this House, a question, to debate and upon which eventually to form a decision, which is of questionable validity in the law today. I claim it is illegal. In any event, as a massive understatement, I would say that it is a matter which has now been held by the Supreme Court of one of the provinces to be invalid and that there is a seizing of this general concept of this constitutional package before the Supreme Court of Canada to decide exactly the same thing. That is my first burden. I must prove to you that it is invalid in the eyes of the law.

My argument bears no relationship whatsoever to that of the hon. member for Nepean-Carleton. I feel that I have a few more onerous responsibilities inside and outside this House, to the government and people of Canada and to the government and people of Ontario, which is my native province, than the hon. member for Nepean-Carleton. I am in a different and