

on the table of the House. When that treasury minute comes on for consideration then will be the time for putting a question as to whether the minute itself involves a breach of privilege of the House.

On account of that dictum of the Speaker, Lord Randolph Churchill did give notice that the matter would be taken up at the first opportunity, when the House was moved into committee of supply. I simply refer to this case to show that it in no way laid down the rule, nor made any authoritative statement, that, in order to bring a matter of privilege before the House challenging any act, or the conduct of the Speaker, it was necessary to give notice of motion. Your ruling, Mr. Speaker, was to the effect that that was necessary, and I bow with all deference to that ruling. I simply invite your attention to the authority cited by Bourinot in support of his contention and statement.

Now, I do not wish to dwell further upon the situation. As I have stated, I have brought this matter to the notice of the House with a view to some action being taken whereby a clear understanding may be reached as to the rights and privileges of members of this House, and the rights, privileges and responsibilities of the Chairman of the Whole House in relation to a matter that has transpired or which may in the future transpire in the Committee of the Whole when no report has been made, and, especially in view of what I conceive to be the rigid, inexorable rule of the House or Commons of Canada in that regard. I have not elaborated the matter, nor quoted, as I might have done, with a view to placing on 'Hansard' any of the proceedings that transpired a week ago Saturday night. I only hope my right hon. friend the leader of the Government, will take notice of the situation. I apprehend that he has already looked into the authorities. Whatever the decision, or whatever the understanding reached, in my judgment, it cannot come too soon, having regard to the procedure of Parliament and to the rights of members as representing their constituents on the floor of this House.

Mr. ARTHUR MEIGHEN (Portage la Prairie): I was not fortunate enough to be in my place when the hon. member for Westmorland (Mr. Emmerson) opened his address. But, I listened very carefully to such remarks as were uttered in my hearing, and I take his effort to have been one to establish four distinct conclusions. The first one that I gathered was—and if I omit or misconstrue, I should be only too glad to be corrected—that by virtue of rule 14 of the House of Commons of Canada, disorder in committee can come within the purview

Mr. EMMERSON.

of the chairman alone, and that under no circumstances can it be a matter for you, Mr. Speaker, except when reported by the Chair. I take it that that is the first argument offered by my hon. friend from Westmorland. He proceeded from that to establish that you, not being in the Chair on such a regrettable occasion as took place in this House a week ago Saturday night, could not, theoretically and technically under the rule, be supposed to know what was transpiring in the House. From that he proceeded to another argument to which I shall refer later. Let me revert to the first—

Mr. EMMERSON: I did not quite understand my hon. friend's statement; will he be good enough to repeat it?

Mr. MEIGHEN: I did my best to come to some definite appreciation of my hon. friend's argument, and had some difficulty in doing so; but I understood it to be that inasmuch as you, Mr. Speaker, were not in the Chair when the disorder in committee occurred a week ago Saturday night, you could not, theoretically, be apprised, under our rules, of the disorder in committee, and consequently could not act thereon.

Mr. EMMERSON: What I said was that the Speaker, if he could act at all in that regard, could do so only on the report of the Chairman, and I stated distinctly the grounds upon which I based that argument.

Mr. MEIGHEN: I stated that as the argument adduced by my hon. friend, and only a moment will be required to deal with it. What does rule 14 say?

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.

This has reference to ordinary questions of order, and the thoroughly established power of the Chairman in regard thereto.

But disorder in a committee can only be censured by the House, on receiving a report thereof.

The first part of this rule, my hon. friend will agree, has no application to a case of gross disorder, or, at all events, if I may call it so, a case of impulsive and impetuous disorder. The last clause, however, says that such disorder in committee as may properly be the subject of censure can only be censured on report by the Chairman to the Speaker of this House in session assembled. That is, doubtless, the meaning of it, but does my hon. friend not see that there is quite a difference between a report of disorder for the purpose of censure, and the taking of the Chair by the