

any way except by going to the House with it. The only way to do that is for the Chairman of the Committee of the Whole to report the matter to the House. My hon. friend from Portage la Prairie (Mr. Meighen), who deals in casuistry always of the highest order, tells us that he has found in May a case in 1675. I have referred to the significance of the fact that my hon. friend has had to go back to the most turbulent times in the history of parliament in order to find any case in which Mr. Speaker—

Some hon. MEMBERS: Hear, hear.

Mr. MACDONALD: I will go a step further. My hon. friend might also go back as far as the same period before he could find any precedent for some of the most outrageous rulings which we had in parliament last week.

Some hon. MEMBERS: Order, order.

Mr. MACDONALD: My hon. friends like to make all the noise possible, if they think that anything suits them; but the moment any hon. member on this side says anything that does not suit them, they cry 'order.' My hon. friends have had to go back to a period previous to the revolution in England, back to the time of James II, to find any case in which a Speaker undertook to take the Chair where a Chairman of the committee had not reported progress. That is the situation. Disorder or no disorder, no case exists in which the Speaker ever undertook to take the Chair except after the Chairman of the Committee of the Whole had reported progress and asked leave to sit again. My hon. friend from Portage la Prairie tries to argue that Sir Thomas Erskine May is wrong. May and his book through twelve editions have been accepted unreservedly in every parliament in England and wherever parliamentary government has been established in British colonies. It is left to my hon. friend from Portage la Prairie, in order to find some justification and some unusual precedent, to enlighten this Parliament and all other parliaments and to assert that Sir Thomas Erskine May is wrong. When May tells us, as he does emphatically and clearly, that the incident in 1675 was never repeated in the English parliament, he tells that at no time since then did the Speaker in the Imperial Parliament undertake to take the Chair unless the Chairman of the committee had reported progress. I think that he will be good enough authority for this Parliament, the member for Portage la Prairie to the contrary notwithstanding. As against Sir Thomas Erskine May, we have the argument of my hon. friend from Portage la Prairie that Sir Thomas Erskine May is wrong in the citations which he makes and in the discussion which he has on that question.

Mr. MEIGHEN: What I said was that hon. gentlemen opposite had not any statement of mine as against Sir Thomas Erskine May, but that according to the record of proceedings as given by the Commons Journal of 1810 and also by 'Hansard' of 1810, May is clearly in error. The 1810 case substantiates the 1675 case in all particulars, and both substantiate this case.

Mr. MACDONALD: My hon. friend was answered on that point by my hon. friend from South Wellington (Mr. Guthrie). Sir Thomas Erskine May has put on record the statement that the incident in 1675 was no precedent. That statement has gone through twelve editions of his book, and has been accepted. He reiterates that in the case which occurred in 1815, subsequent to the Fuller case, which my hon. friend undertakes to say, according to his version of 'Hansard' and of the journal which I have not seen, is different from that of Sir Thomas Erskine May. Mr. Speaker did not act until after the Chairman had reported progress and asked leave to sit again. There is one lonely isolated authority for the proposition that the Speaker can take the Chair on any occasion, whether disorderly or not, except when specially provided for by the rules, and where the Chairman of committee has not reported progress.

At six o'clock, House took recess.

After Recess.

House resumed at eight o'clock.

PRIVATE BILLS.

SECOND READINGS.

Bill No. 151, respecting the Pacific and Peace River Railway Company.—Mr. Douglas.

Bill No. 152, to incorporate the Middlesex Trust Company.—Mr. Beattie.

THE RULES OF THE HOUSE.

Mr. MACDONALD: When the House rose for dinner we were dealing with various grounds which had been urged to justify the proposition that the Speaker could take the Chair while the House was in Committee of the Whole. Or perhaps, I am using too general language when I speak of 'the various grounds,' because there was only one ground urged so far as I could gather from the speeches of hon. gentlemen opposite. There is only one source to which we can go when we desire to ascertain what is proper usage and practice, and that is to these rules which were adopted by this House unanimously, I understand, some four years ago. These rules are for your guidance, Mr. Speaker, and for the guidance of the House. Under these rules you obtain