

The following Notice of Motion having been called was transferred to Government Orders for consideration at the next sitting of the House, pursuant to Standing Order 21(2):

That a Special Joint Committee of the Senate and House of Commons be appointed to inquire into and report upon divorce in Canada and the social and legal problems relating thereto, and such matters as may be referred to it by either House;

That 24 Members of the House of Commons, to be designated by the House at a later date, be members of the Special Joint Committee, and that Standing Order 67 (1) of the House of Commons be suspended in relation thereto;

That the Committee have power to engage the services of such technical, clerical and other personnel as may be necessary for the purpose of the inquiry;

That the Committee have the power to send for persons, papers and records, to examine witnesses, to report from time to time, and to print such papers and evidence from day to day as may be ordered by the Committee, and that Standing Order 66 be suspended in relation thereto; and

That a Message be sent to the Senate requesting Their Honours to unite with this House for the above purpose, and to select, if the Senate deems it so advisable, some of its Members to act on the proposed Special Joint Committee.—*The Minister of Public Works.*

The honourable Member for Calgary North (Mr. Harkness) again rising on a question of privilege concerning certain remarks made by the Minister of Justice (Mr. Cardin) proposed to move,—That the Minister of Justice be required forthwith to substantiate the charges made inside and outside this Chamber which have reflected unfortunately and improperly upon members of Her Majesty's Privy Council, or alternatively that he be asked to submit his resignation and to atone by the forfeiture of his seat.

RULING BY MR. SPEAKER

MR. SPEAKER: This is not an enviable position which the Chair is being placed in at the moment. I have been given an opportunity during the last hour or so to reflect on the very serious matter raised by the honourable Member for Calgary North (Mr. Harkness). I must point out I regret very much that his original motion could not be accepted because of a technical difficulty. He has given written notice subsequently, at 2.40 or 2.45, which was about the time the motion would have been discussed in any event.

I am satisfied and pleased, in a way that the matter has come to a head. As honourable Members know, the Chair is guided by citation 104(5) of Beauchesne's Fourth Edition which says: "As a motion taken at the time for matters of privilege is thereby given precedence over the prearranged program of public business, the Speaker requires to be satisfied, both that there is a *prima facie* case that a breach of privilege has been committed, and also that the matter is being raised at the earliest opportunity."

I expect it might have been argued, in so far as the statements were made on Friday last, that the matter was not raised at the first opportunity, but we are dealing now specifically with allegations as reported in a newspaper outside the House and the allegations repeated by the honourable Member in the House. I am inclined to believe there is a *prima facie* case of privilege in this instance but I might point out to honourable Members—and I am sorry I have to use