

*Northern Ontario Pipe Line Corporation*

**The Deputy Chairman:** I think the hon. member for Kamloops figured that he had a priority of appeal.

**Mr. Fulton:** I am not asserting any priority. I just want to have the matters considered separately. I understood you had ruled on the point of order or on the argument that I had raised. I indicated that I was not satisfied with your ruling. If you wish more time to consider the point of order raised by the hon. member for Winnipeg North Centre, which I would be prepared to admit is an even stronger argument than the one I raised, sir, by all means I invite you to do so, because I hope that this time there will be shown respect for the rules which are so clearly stated and the precedents so clearly established, and that we shall not have once more to submit a matter to this house, not for the exercise of impartial judgment, but for the execution of a political verdict.

**The Deputy Chairman:** I do not know whether that is very much to our assistance in arriving at a point of order. I am not going to rule on a matter which I consider can only be raised in the house, as against the committee. I am not going to rule as to whether or not government order No. 2 stands correctly or incorrectly on the order paper.

I am making this assumption—and I do not expect every hon. member to agree with me but I think it has merit—that the fact that we are here indicates that notice of government order No. 2 was and is on the order paper. Whether it was properly or improperly on the order paper—I am sorry—it is not for me to say.

I wonder whether the hon. member for Kamloops would state his point of order. When I ask him to state it briefly, he will realize it is for the benefit of the Clerk, who has to put it in writing.

**Mr. Fulton:** My point in simple essence is this. The order for committee not having been read and put before the house, the house cannot resolve itself into committee, and therefore the committee cannot sit. Therefore you cannot take the chair, because there can be no committee before the order for the house to resolve itself into committee is read. I am not arguing that that order requires to be submitted for a vote of the house at this stage, because under our rules, once the first motion for the house to go into committee has been voted on and decided, then on successive days, provided the committee is still alive—and there I protect the point of order of the hon. member for Winnipeg North Centre—then on successive days, when the order is read, the house goes into

committee without question put, but it still requires the order to be read, and the house adopts that order without vote. Sir, the house cannot cease to sit as a house and start to sit as a committee of the whole in the absence of some order to do so, and no order to do so was read and presented to the house. So the house had no opportunity to adopt it, and it could not cease to sit as a house and sit as a committee. Therefore you cannot take the chair of the committee, because this committee cannot sit. There is a vacuum in our proceedings.

**The Deputy Chairman:** Surely that is just the point I am trying to make, that I am being asked to rule now on the validity of a proceeding when Mr. Speaker was in the chair, as a result of which at least one recorded vote was held in the house. I am referring to the vote on the appeal from the chairman's ruling. If I, as chairman of a committee, were to presume to rule in accordance with the submission of the hon. member for Kamloops, I would be ruling that the question of my appeal had been improperly submitted to the house earlier today.

**Mr. Fulton:** No.

**The Deputy Chairman:** I would ask the hon. member for Kamloops how that question could have been submitted if we had not reached order No. 2.

**Mr. Fulton:** We reached it but it was not read. Let me ask you, since you say you cannot look behind to see what happened in the house, then do what any other chairman may be asked to do at any time as I understand it, and that is to read your order of reference for today's sittings in committee. You will find that there is no order of reference because the house did not adopt one and there will not be any on the journals in front of you because the clerk cannot have written it down that the order to resolve into committee was read. Therefore we have no order of reference for today's sitting of this committee, and I say that you may search and search in vain but you will not find any order of reference there under which you are now sitting as Chairman in this committee.

**Mr. Rowe:** The Minister of National Revenue gave you one. Read it.

**Mr. Knowles:** On the point of order raised by the hon. member for Kamloops, my hon. friend is quite correct. I realize we have two points of order here and we may reach the point where we will have to have two rulings to decide on what to do with them, but I think the memory of all members, including those on the other side, will confirm that when we finished questions on the orders of the day and it was time for the orders of the day

[Mr. Knowles.]