

Supply—Justice

repeated these allegations is in my opinion tantamount to the same thing.

Mr. Douglas: Mr. Chairman—

Mr. Chevrier: I am not through. I have the floor.

Mr. Douglas: On a point of order, Mr. Chairman, I want to know how the minister got the floor. The hon. member for Greenwood had the floor. Is the minister speaking a second time on the point of order?

The Chairman: My understanding is that the minister raised a point of order and this is why I have allowed the minister to speak. He is not speaking a second time.

Mr. Douglas: He is certainly not discussing the point of order. He is now replying to the hon. member for Greenwood who had not finished his statement and I think the member should be allowed to finish his statement.

Mr. Chevrier: But the hon. member sat down and I rose after he sat down.

Mr. Douglas: No, he sat down because you interrupted him.

Mr. Chevrier: I did not interrupt him. The hon. member did not see what was happening. I saw the hon. member for Greenwood sit down.

Mr. Douglas: On a point of order; the hon. member for Greenwood sat down because he thought Your Honour was going to rule on the point of order.

The Chairman: Will the hon. member kindly resume his seat. My understanding of the matter, and it should not be too complicated, is that a point of order was raised and I understood that the hon. member for Greenwood was still speaking on the point of order. As far as the Chair is concerned, I was still looking up authorities and deliberating on the point of order. At this point the Minister of Justice stood and the hon. member for Greenwood sat, so I believe he yielded the floor on the point of order. If he did not, I suppose I should allow him to complete his point of order and then allow the Minister of Justice to speak on that point.

Mr. Brewin: I want to make it perfectly clear I am speaking only on the point of order. I think it would be advantageous for the house and advantageous for the individual concerned if I were permitted to complete my statement. I make it in all responsibility as a serious statement. In my submission I should be permitted to complete my statement and I respectfully submit it is not out of order. I am casting no aspersions. I do not fall within the citation which has been given and I hope that I will be permitted to proceed. I certainly have not concluded my remarks.

Mr. Chevrier: May I say that I rose on the point of order and cited Beauchesne as my ground for submitting that if the hon. member wanted to discuss the matter further he should move a substantive motion. This he said he was not prepared to do, and when I was interrupted by his leader I was going on to deal with the question of my responsibility. If the house and the hon. member do not want to hear me at this stage I am quite prepared to resume my seat, but I think the house should know, in answer to what the hon. member for Greenwood has said, whether or not there is under the circumstances a responsibility on the Minister of Justice in this case.

Mr. Douglas: No one denies that. The point I am making is that the hon. member for Greenwood had not had the opportunity to finish his statement. He sat down because he thought Your Honour wanted to rule on the point of order raised by the Minister of Justice. I assume that the reason you have not risen is that you do not agree there is a point of order and that the hon. member for Greenwood can be allowed to complete his statement, after which the minister can properly reply to him.

Mr. Pearson: Mr. Chairman, perhaps you are in a position to make your ruling on the point of order now.

The Chairman: I am sorry, I could not hear the Prime Minister.

Mr. Pearson: I asked whether you were in a position to give your ruling on the point of order now.

The Chairman: Yes, I am. Perhaps I could make a ruling now on the point of order which was raised a moment ago. The feeling of the Chair is that the position which the hon. member for Greenwood seeks to adopt is out of order on two counts. First, I should like to refer him to standing order 59(2) which reads as follows:

Speeches in committee of the whole house must be strictly relevant to the item or clause under discussion.

My submission is that the administration of the courts is not a matter directly under the jurisdiction of the Department of Justice. On this count, I do not think the subject matter which is now being raised by the hon. member for Greenwood can be discussed.

Then, I should like to refer the hon. member to citation 149 (j) of Beauchesne's fourth edition, to which the Minister of Justice referred earlier. It reads in part:

—a member, while speaking, must not:

(j) cast reflections upon the conduct of judges of superior courts, unless such conduct is based upon a substantive motion;