

*Administration of Justice*

**Mr. Speaker:** The hon. member is asking the Chair to overlook the rules and practice and give the house an opportunity to enter into debate. Obviously the Chair will not do that. The Chair will rule according to the practice and standing orders of the house.

[*Translation*]

Order. A motion has been moved by the hon. member for Lapointe. I must say regretfully that his motion is just as unacceptable as the one he moved yesterday. It is a substantive motion requiring advance notice, and as I mentioned in the ruling I just rendered, and for the reasons I explained a moment ago, the motion is not acceptable.

**Mr. Grégoire:** Mr. Speaker, in view of the fact that my motion is substantially the same as the amendment and as the one I intended to move yesterday, could not this be construed as a notice I am now giving, and on which I would like a decision within 48 hours which would be according to the usual time limit.

[*English*]

**Mr. Thompson:** Mr. Speaker, may I ask whether there are copies of this motion available?

**Mr. Speaker:** I regret that I did not hear the hon. member for Red Deer.

**Mr. Thompson:** Mr. Speaker, are there copies of this motion available? If they have been distributed I should like to point out that I did not get one.

**Mr. Speaker:** The motion was disposed of when it was ruled out of order, and it is not now before the house.

**Hon. Michael Starr (Ontario):** Mr. Speaker, I move, seconded by the hon. member for Brandon-Souris (Mr. Dinsdale):

That this house call upon the Minister of Justice to substantiate the charges and allegations which he has made against the Leader of the Opposition and members of the Privy Council of the former government.

**Mr. Caron:** It is the same as yesterday, the very, very same.

**Mr. Speaker:** The hon. member for Ontario, seconded by the hon. member for Brandon-Souris has moved that the house call upon the Minister of Justice to substantiate the charges and allegations he has made against the Leader of the Opposition and members of the Privy Council of the former government. I wonder whether there is any point in

asking hon. members to address the Chair as to the admissibility of the motion. I should point out to the hon. member that this motion is substantially the same as the three that were moved yesterday. I think it would be unfair to the house for me to read again the judgment I have delivered, but I will do so if the hon. member wishes. I have given the reasons why I think this type of motion cannot be received. I therefore rule that this motion is also out of order.

**Hon. Gordon Churchill (Winnipeg South Centre):** Mr. Speaker, I think it would be of benefit to the house if you would repeat the reasons and indicate the type of motion that might be acceptable. I recall a case in 1956 when a question of privilege was raised in this house based on statements in newspapers. The newspapers were handed to the Clerk who read out the statements. The Speaker assisted the hon. member who raised the question of privilege in framing his motion. I suggest, sir, that you might give some advice to this house regarding this particular matter. We are doing our best to co-operate with the Speaker in this regard but we think that an unprecedented occurrence has taken place here in the House of Commons, and it may well be that new ground must be broken regarding the type of motion that might be introduced under these circumstances.

**An hon. Member:** Hire a lawyer.

**Mr. Speaker:** Order, please. I understand the case to which the hon. member referred was one which affected the Chair and the Speaker, which is why that procedure was followed at that time.

For the benefit of hon. members, perhaps I should read again a part of the ruling which I read a moment ago and which applies to the motion just proposed by the hon. member for Ontario.

I made reference to Mr. Speaker Michener's decision of Friday, June 19, 1959 when I ruled on the first motion yesterday, and it seems to me that this also applies to the motion just proposed by the hon. member. The proposed motions are invalid also on the basis of the opinion expressed by Mr. Speaker Michener on June 19, 1959, as recorded at page 4930 of *Hansard* where he said:

Members of the House of Commons, like all other citizens, have the right to be regarded as innocent until they are found guilty, and like other citizens they must be charged before they are obliged to stand trial in the courts. Parliament is a court with respect to its own privileges and dignity and the