

Mr. FIELDING. Omit the word 'thereupon.' The last sentence does not seem to follow in order the first sentence.

Sir WILFRID LAURIER. That is a good suggestion. Read it as it is proposed to be changed.

Mr. DEPUTY SPEAKER (reading).

A member addressing the House shall, if called to order by the Speaker or by any other member, sit down (while the point of order is being stated), after which he may explain. (The Speaker may permit debate of the point of order before rendering his decision, but such debate must be strictly relevant to the point of order taken.) The Speaker shall decide the point of order, which decision shall be subject to appeal to the House, but without debate. If there be no appeal, the decision of the Chair shall be final.

Mr. FIELDING. The debate precedes the decision.

Mr. SPROULE. I do not see any objection to the word 'thereupon' because it works out in due and proper time.

Mr. FIELDING. There might be no debate at all.

Mr. SPROULE. Have you struck out the word 'thereupon'?

Mr. DEPUTY SPEAKER. I have struck out the word 'thereupon' and I have made the last sentence the second one in the rule.

Rule as amended agreed to.

On rule 21,

(a) No member may speak twice to a question except in explanation of a material part of his speech which may have been misquoted or misunderstood, but then he is not to introduce any new matter (or to interrupt a member who has the floor, and no debate shall be allowed upon such explanation).

(b) A reply shall be allowed to a member who has moved a substantive motion (or the second reading of a Bill), but not to any member who has moved an order of the day, (not being the second reading of a Bill, an amendment, the previous question an adjournment during a debate, or an instruction to a committee.

(c) A reply shall be allowed to a mover of a substantive motion although the debate thereon, by being adjourned, becomes an order of the day.

(d) In all cases the reply of the mover of the original motion closes the debate, and it is the duty of Mr. Speaker to see that every member wishing to speak has the opportunity to do so before the final reply.

Mr. STOCKTON. That is new.

Mr. FOSTER. That is all new.

Sir WILFRID LAURIER. It is all new and it is rather confusing, I admit, but the object, I think, is clear when you take the clauses seriatim. The first clause, I think, requires no explanation at all.

Mr. BARKER.

In subsection (b) the words 'or the second reading of a Bill' are new. When a Bill is moved for the first time the member who introduces the Bill may make his speech upon it. Our practice generally is to have that explanation on the second reading. By the rule of the House then there would be no reply given to the member moving the second reading and the object of the rule is to make it clear that the member who moves the second reading of a Bill shall have the right to reply:

But not to any member who has moved an order of the day, (not being the second reading of a Bill) an amendment, the previous question, an adjournment during a debate or an instruction to a committee.

If you look at the order paper you will see that a notice of motion, after it has been introduced, if it is not concluded, goes upon the order paper as an order of the day. In reference to subsection (c) we have the same thing again. The object of these amendments is to give to a member who introduces a question to the House, whether it be on this part of the order paper or on the other, shall have the right to reply.

Mr. STOCKTON. I know that the popular notion is that the mover of a substantive resolution has the right to reply, but there is no parliamentary rule to that effect. So long as the question is not put any member has the right to speak which he would not have under this, but, I think this is the correct rule. I remember a question arose when I was a member of the New Brunswick legislature and I had occasion to apply to the late clerk of the House Sir John Bourinot, upon that point. My opinion was the other way at that time, but he stated the rule to be that a man had the right to speak as long as the question was open, although the mover of the resolution had spoken and had claimed the right to reply.

Mr. FIELDING. This rule meets a difficulty which we have observed in our own experience in this parliament. An hon. gentleman has claimed the right to reply but it has not necessarily closed the debate and others have spoken afterwards. This meets the difficulty because when a gentleman rises to exercise his right the Speaker will first ascertain whether any one else wishes to speak.

Mr. STOCKTON. I think it should be thoroughly understood that every person who wishes to speak has the opportunity to do so. It rests largely with the Speaker.

Mr. SPROULE. Subsection (a) of rule 21 provides that:

No member may speak twice to a question except in explanation of a material part of his speech which may have been misquoted or misunderstood, but then he is not to introduce any new matter (or interrupt a member