

no course was open to me but to declare it lost, and I take it that hon. gentlemen have no right now to call for the yeas and nays.

Mr. OSLER. I said 'aye.'

Mr. R. L. BORDEN. Surely, Mr. Speaker, the hon. gentleman who proposed and seconded the motion would be understood as saying 'aye' to their own motion—

Mr. SPEAKER. I should have thought so, but I did not hear either of them do so.

Mr. R. L. BORDEN. The hon. member for West Toronto (Mr. Osler) has said that he said 'aye.' It is the custom for the speaker, in such a case as this, to say 'in my opinion the noes have it,' and then the call for the 'yeas and nays' can be made. That is the procedure that I have always seen adopted.

Mr. BARKER. I would call your attention to the fact that not only did certain gentlemen on this side say 'aye' when the question was submitted, but over twenty gentlemen stood up in favour of the amendment before you put the question of the other side.

Mr. SPEAKER. I have given a ruling which I think I cannot in anyway withdraw from. Of course, if it is the unanimous sense of the House that there should be a division I am in the hands of the House. Otherwise I can only repeat that I did not hear anyone say he was in favour of the motion. And I am not blind, nor am I deaf. I certainly saw no one rise nor did I hear anyone say 'aye' when the motion was put. I take it that, no one having voted in favour of the amendments the yeas and nays cannot be asked for.

Mr. CLANCY. Several hon. gentlemen have stated that they did say 'aye' when the question was put. I can scarcely think it would be a fair thing to say that you, Mr. Speaker, had not heard it and therefore that it was not said. I have no doubt you did not hear it. But when an hon. gentleman rises in his place and says he did say 'yea,' I do not think you have any power but one, and that is to order the 'yeas and nays' to be recorded, as so many gentlemen stood up to require that that should be done.

Mr. SPEAKER. The question is on the main motion.

Mr. R. L. BORDEN. No. Before the main motion is put, Mr. Speaker, I move that the House do now adjourn. And I do this to signify my disapproval of the course pursued by you to-night. This course I never saw pursued before, and I hope I shall never see it pursued by any Speaker in the chair again. A motion was presented to this House by my hon. friend from West Toronto (Mr. Clarke), and it was seconded by my hon. friend from East Grey (Mr. Sproule). An hon. gentleman in this House

whose word you are bound to take—at least every other hon. member would be bound to take it—has said that he called out 'aye,' in response to the question from the chair for those in favour of the motion. There was at least that with which you are confronted. And, on the other side of the House we have had cries of 'no' in response to the question. Hitherto I have always heard the Speaker, after putting the question, say 'in my opinion the ayes have it,' or 'the noes have it,' as the case may be; and then, if the vote was desired it could be demanded. That course was not pursued to-night. I think it should have been pursued. And I see no reason why, under the circumstances the vote should not have been taken. And I say that I regret that in this instance the Chair has seen fit to pursue the course which has been followed. I do not think it will add to the decorum of the House to have incidents of this kind arise. Every one in this House certainly understood, and you, Sir, it seems to me, must have understood, that this motion was not put as a mere idle form. I have seen, during the regime of Mr. Speaker Edgar and those who succeeded him, difficulties of this kind at once met by the Speaker in accordance with what he believed to be the true understanding of those on one side of the House or the other. I do not think it desirable that we should have any practice of this kind pursued with respect to hon. gentlemen on this side of the House, I regret very much that, under the circumstance, you, Sir, have seen fit to pursue the course you have pursued to-night.

Sir WILFRID LAURIER (Prime Minister). I am sorry that my hon. friend (Mr. R. L. Borden) has taken this course in order to show his disapproval, as he says, of the ruling of the Speaker. He says that it is the rule for the Speaker to say, after the 'ayes' and 'noes' have spoken, 'in my opinion the ayes have it,' or 'the nays have it,' that is the rule, certainly. But the Speaker could not do it to-night because there were no 'ayes.'

Mr. TAYLOR. The hon. member for West Toronto (Mr. Osler) says he said 'aye.'

Sir WILFRID LAURIER. If the hon. gentleman (Mr. Osler) spoke, he spoke in such a tone that nobody heard him. We know what often takes place when motions are presented. They are sometimes moved simply to assert the opinions of one side or the other. Of course sometimes they are put with a view to challenging the opinion of the House; but, in this case, when the motion was put, nobody said 'aye,' except the hon. member for West Toronto (Mr. Osler). Generally, when a motion is put upon which a vote is expected you have a volley of 'ayes,' and a counter-volley of 'noes.' This is followed by the Speaker's declaration that in his opinion the 'ayes' or the 'noes' as may be have it.