

be noted that gentlemen on this side of the House endeavour to approach the consideration of this matter in a calm and judicial way, in contrast with the somewhat heated manner in which hon. gentlemen opposite are considering it. The Minister of Finance, for example, has given us a dissertation on rules of order which is somewhat novel and which indicates that he has peculiar views as to the functions of the Speaker, views which are hardly in keeping with parliamentary procedure and precedent. The Minister of Finance has given us a dissertation which would incline us to believe that although this tyro in parliamentary government has been in the House for only a session and a half, he wants to instruct hon. gentlemen, contrary—

Some hon. MEMBERS: Oh.

Mr MACDONALD: Yes, excuse me—contrary to what has been laid down by such authorities as Bourinot and Erskine May. The Finance Minister undertook to discuss the facts as to what did or did not occur on Saturday evening the 15th instant. I was not present at the particular time that you took the Chair, Mr. Speaker, and my information in regard to what occurred has to be derived from 'Hansard.' I would say, however, that as the Minister of Finance reflects upon hon. gentlemen on this side of the House, I see no reason why in this discussion we on this side should not be permitted to give our statement as to what occurred on Saturday evening, just as well as the Minister of Finance. For my part I propose devoting myself to the consideration of the question as to whether Mr. Speaker, under the rules of this House, has the right to take the Chair under such conditions as existed on Saturday evening.

The Minister of Finance tells us that the Speaker of this House is a gentleman of commanding authority, who can do practically what he pleases, free of criticism, and that in the Speaker is vested some supreme, unusual, and arbitrary power which members of this House cannot question. The Finance Minister, in justification of his position is forced to go back to the days when Oliver Cromwell strode into the Imperial Parliament at Westminster and, looking at the Mace, said: 'Take away that bauble.' He is forced to go back to that period through the whole history of parliamentary government in the English speaking world to find a precedent for the incident he is attempting to justify. I can well understand that, imbued with that same spirit, the Minister of Finance would justify the action of the Chairman, or the Speaker, and would sustain in an equally arbitrary and unjust manner the breaking of some rule of this House which has been

respected from time immemorial. The Speaker of this House has certain rights and powers which are founded on the rules, supplemented, in so far as they are not specially covered in these rules, by the usage and practice of the Imperial Parliament existing in 1867. The Speaker of this House has not one whit more power nor one tittle more right than is thus conferred upon him, and the imagination of the Minister of Finance will not bring down from Heaven nor from any other quarter any special or unusual right except what is given to Mr. Speaker under these rules.

What is the condition of this House when it is in Committee of the Whole; how can it go into Committee of the Whole, and how can it come out of Committee of the Whole? After the Speaker leaves the Chair, and the Chairman for the time being is in charge of the Committee of the Whole, the Chairman of the committee has certain absolute and defined rights settled by the rules of this Parliament, settled by the usage of the Imperial Parliament, rights just as strong, just as settled, just as definite as are the rules which govern Mr. Speaker when he is in the Chair. And neither Mr. Speaker nor any other member of this House has the right to transgress upon the rights of the Chairman of the committee any more than he has the right to transgress any other rule of the House. Let us see what Redlich, volume II, page 199, has to say on the status of Committee of the Whole.

The passage from the House to committee is marked by certain accompanying circumstances. First, the Chairman is changed. In place of the Speaker the permanent Chairman of committees, chosen at the beginning of a new parliament presides. The Speaker and the Clerk of the House leave the chamber.

That is under the English practice and I will show from Bourinot that the Speaker in the Canadian Parliament occupies an entirely different position, because he has the right to remain in the Chamber and take part in the deliberations of the committee, and to that extent he is under the control of the Chairman of the committee. Another indication which marks the passage of the House from the control of the Speaker to that of the Chairman is:

Another symbol of the change is the removal of the mace. When the House is resolved into a committee, the mace, which till then has been lying visible to all, upon the table, is placed in a receptacle below it and hidden from view. The Chairman takes his place at the upper end of the table in ordinary dress, wearing neither wig nor gown; the Speaker's chair remains empty.

These are the formal indications to the House of the transition which takes place