

Question of Privilege

that the matter must necessarily embrace the whole question of tampering with evidence which is the charge now alleged to be spurious. The word itself cannot be dealt with in isolation from the subject of the charge to which it refers.

Since this is now the subject of a formal motion before the house, the hon. member has complied with the requirements; he must raise with you, sir, a matter involving privilege in order that you may apply the rules of the house which recognize the importance of taking such question under consideration at once.

If you find that there is a prima facie case of privilege involved and that therefore, notwithstanding the statement or explanation of the minister, this motion should go, as suggested, to the committee on privileges and elections—and I submit with respect that I do not see how Your Honour could find otherwise than that there is a prima facie case of privilege raised here—then, I submit, this matter having been raised yesterday at the earliest possible moment, the motion should be taken into consideration now by the house.

Mr. Nugent: May I speak to the point of order? I should like to ask Your Honour to clarify a ruling which you made last Thursday when I raised a similar question of privilege. The minister rose at that time and without withdrawing his remarks made certain statements difficult to comprehend, after which Your Honour felt and ruled that he was not imputing motives in my case going beyond my duty as a member of this house.

The substance of my argument on the question of privilege which I submitted yesterday was that the statement he made, and to which I objected yesterday, went beyond the simple statement that my allegations were spurious, which tied in the whole course of conduct with this case and made it such that the sole point of making that statement was to impute a motive.

I therefore suggested to you, sir, that it is no more a case of the possibility of the minister explaining it away or withdrawing. I would point out to Your Honour that I listened very carefully to the minister today, and while he gave us a lesson which showed that apparently he is able to look in a dictionary and read the meanings of words, there was nothing that could be accepted by any member of the house as an explanation of why he made the statements, never mind a suggestion that he was not imputing motives. As a matter of fact I suggest to you that his

[Mr. Fulton.]

statement today was so carefully made that no one could accuse him of withdrawing a word of his original statements that would impute a motive.

Therefore, Mr. Speaker, I suggest I need a clarification of your statement on this point with regard to the motion. Your first point, if your ruling is as I remember it and as I read it in *Hansard*, is that there is no question of privilege unless a motive is imputed; and since it is so very obvious here—and the minister has not denied imputing a motive—I must take it from your ruling that where a motive is imputed then I have a prima facie case of privilege, and I suggest the situation is very clear.

I do not want to bother the house every day with this, but the situation is very simple. The minister has been formally charged, and stands charged now, and he is the one member who blocked a review of the facts to determine whether he was guilty or not. I say that he brought a base and scurrilous attack against me last week—

Mr. Speaker: Order.

Mr. Nugent: —and the Chair has allowed him to do it again.

Mr. Speaker: Order, please. I wonder if the hon. member is speaking to the point of order?

Mr. Nugent: I am, sir. The point is that last Thursday on an explanation that was not satisfactory to me—but it is the Chair that must be satisfied—the Chair on that occasion was satisfied that apparently no motive was imputed. I am certain that Your Honour could not be so satisfied with the words spoken by the minister today. There was no suggestion by the minister that he was not imputing a motive, and I suggest that if a man in his position does not have the honour to try to clear his name of very serious charges in this house, and goes on to make these scandalous and scurrilous attacks on me—

Mr. Speaker: Order. Again I do not want to interrupt the hon. member, but will he please resume his seat. I am sure the hon. member for Edmonton-Strathcona will agree that he has been given every opportunity on a number of successive days to make the statements he wanted to make. On each day I have considered them as objectively as possible, and I am prepared to do so again today. But