

At a moment when there was considerable excitement in the Chamber, without any opportunity given to Your Honour for consideration or reflection, Your Honour of your own motion, while this House was sitting as a Committee of the Whole regularly and formally engaged in considering the clauses of a public Bill, undertook to take the Chair. And the rule being asked for upon which Your Honour acted, Your Honour stated it was rule 161 of the English rules, and you also made reference to the statement contained in Bourinot, which my hon. friend from Portage la Prairie (Mr. Meighen) has referred to. I have a proper respect, Sir, for the very high office which you occupy with so much dignity and firmness. On this side of the House we are just as intent as is Your Honour in maintaining to the fullest the dignity and the authority of the Chair. We realize that the authority of the Chair, properly administered, constitutes the chief safeguard of the rights of the minority in the discussions in this Chamber, and I am sure I express not only my own opinion but the opinion of every member of the Opposition when I state quite openly that we entertain a very high opinion of Your Honour's accurate knowledge of the rules applicable to the conduct of business in this Chamber. However, the best opinion, and the best informed member of the Chamber, under the strain of excitement, in the heat and haste of the moment, may very easily quite unconsciously fall into error. What I submit to Your Honour, without desiring to refer particularly to what transpired in the Chamber on the occasion in question, is, that Your Honour did not have that time for consideration and reflection which might be necessary under such strained circumstances; and that had your honour had time for consideration and reflection—which Your Honour might have asked for if you so desired—I doubt that your honour would have taken the course which you saw fit to take. That incident is closed and I do not desire to refer to it more than for the purpose of having the future course of procedure in this House decided. There is no doubt there is a correct procedure and an incorrect procedure. My hon. friend from Westmorland (Mr. Emmerson) has brought this matter to the attention of the House simply for the purpose of having the correct procedure defined, so that in the future if unhappily another similar occasion should arise, we may apply the correct procedure and be bound by it. I contend, Mr. Speaker, that however high my opinion may be of your knowledge and authority in regard to the rules which appertain to the conduct of business in this House. Your Honour was in error in the course which you pursued while the House was sitting in Committee on Saturday, the

15th instant. I state my opinion after having given the best consideration I can to the rules of this House, to the formal rules which have been adopted in the British House of Commons, and after having consulted the various text writers and constitutional authorities and given them the best thought within my power, I have come to the conclusion that Your Honour's action on that occasion was not according to proper parliamentary procedure. I cannot understand how, having regard to rule 14 of the rules governing the procedure of this House, my hon. friend from Portage la Prairie could offer the opinion he has just offered to the House. Rule 14 meets the case exactly; it is precise, it is definite in its language, it is brief; it reads:

The Chairman of the Committee of the Whole House shall maintain order in the committee, deciding all questions of order subject to an appeal to the House; but disorder in a committee can only be censured by the House, on receiving a report thereof.

That rule fits the case precisely. There can be no dispute that the House was in Committee of the Whole regularly constituted. If Your Honour's action was correct, what would the situation be? It certainly would be an anomalous one; for we would have in reality two presiding officers in this Chamber at the same time. What I submit to Your Honour is that the moment the House goes into committee Your Honour's duties as Speaker of the House, so far as any discussion in the Chamber is concerned, are terminated, and Your Honour sits in Committee of the Whole just as any other member sits. It is laid down by authorities that your Honour as a member of the committee has the right to speak in the committee, and to vote in the committee. As a rule, it is true, the Speaker does not exercise his right either to speak or to vote in committee, but in England, on several occasions during the past century, Speakers have spoken and voted in committee. The authority for this is cited in May's Parliamentary Procedure, pages 368-369, and Bourinot, page 282. The point is that the Speaker is a member of the committee, and as a member of the committee he is subject to the ruling of the Chairman of the committee just as any other member of the committee, and he has no right to disregard the Chair, or to interrupt the Chair, or to take the floor while the Chairman is on his feet. I submit that while the Chairman of that committee was on his feet on Saturday, the 15th instant, when Your Honour, of your own motion, took the Chair, you had no authority for so doing. There was no report from the committee to the House, and Your Honour's action was irregular if that rule is in force. The only incidents cited by the hon.