

Northern Ontario Pipe Line Corporation

is a matter which I consider is something to be raised wholly with the Speaker in the chair. The hon. member for Winnipeg North Centre has suggested that I can go further, and on a point of order, not on the clause which happens to be before us, but on the existence of this committee, that I can rule—I know I am taking liberties with his words but I am not meaning it to sound that way—that I inadvertently closed out this committee yesterday by vacating the chair without asking leave to sit again.

There are more occasions than one when the committee rises suddenly and without notice; the best one I know of—I have the citations before me—I think it would be familiar to hon. members—is when a message is received from the Senate that His Excellency desires the attendance of this house in the Senate. We go over. The committee rises and the Speaker, if I remember rightly, just takes the chair without any formal proceedings at all. Standing order 7 reads:

At the ordinary time of adjournment of the house, unless otherwise provided, the proceedings shall be interrupted and the business under consideration at the termination of the sitting shall stand over until the next sitting day when it will be taken up at the same stage where its progress was interrupted.

Of course hon. members will point out that that has always been the case and that despite the existence of that rule, when we leave the chair at the normal closing hour we ask leave to sit again, but, if I may say so, I think there is a difference in the position. I do not expect the hon. member to agree with me, but I do ask him to listen to my line of thought.

When an ordinary appeal is taken from a chairman's ruling under normal circumstances and is heard, voted on and disposed of, that takes about an hour. It is not usual for the chairman who submits that appeal to rise and ask leave to sit again. As a matter of fact, theoretically he has no right to do so. He rises for the purpose of submitting the appeal to Mr. Speaker. In no instance in my recollection has it ever been raised that the chairman was wrongfully back in the chair. The appeal had been disposed of even though he had left the chair and Mr. Speaker had resumed his seat and the mace had been brought up on the table and to all intents and purposes for the time being the proceedings had come to a halt.

He is asking me to rule that because circumstances were such that it took from somewhere like ten minutes past five o'clock last night to ten o'clock to obtain a vote on my disputed ruling that the position is different. I am not imputing motives; I am

[The Deputy Chairman.]

asking him to look at this position. Let us suppose that a ruling is appealed and that a number of intervening proceedings, questions of privilege and so on, would have the effect of putting that appeal beyond the ten o'clock hour and therefore making it impossible to be heard. I submit, and I base my ruling on this line of thought, that it would be reading a wrongful intention into the rules to read into them that the Chairman can leave the chair, submit a ruling for appeal and return to the committee under certain circumstances validly, and under other circumstances invalidly.

I suggest to the committee that we might have an appeal taken at five minutes to ten o'clock. Is the taking of that appeal going to result in the disappearance of the order? I do not think it is.

I will say quite frankly that the other question raised by the hon. member for Winnipeg North Centre causes me more worry because it affects me personally in its application. He has stated that I improperly put the question, that is Mr. St. Laurent's motion, in that I did not hear points of order which one or more members wished to raise at the time when I resumed the chair. For the purpose of this part of my lengthy discourse, for which I apologize, may we assume that I resumed the chair legally. The facts are as the hon. member stated. I was not unaware that one or more members were on their feet desiring to raise either points of order or questions of privilege, which I do not know. I did not hear them; I did not see them, let there be no doubt about that. I knew they were there but I did not officially recognize them. I consider that I was right in my action.

Mr. Fulton: You deliberately ignored them.

The Deputy Chairman: I did not officially recognize them. I consider—

Mr. Fulton: Put it the straight way and say that you deliberately ignored them.

The Deputy Chairman: If the hon. member prefers that expression I will not argue about it.

Mr. Knowles: If the chairman is accepting that as a statement of his position, that he deliberately ignored members, how can we continue on that basis?

The Deputy Chairman: The hon. member might perhaps permit me to complete my remarks. There are times in my opinion when the Speaker or the chairman has not a right to recognize a member. The most outstanding of course—hon. members will say that this is going too far—would be when