

Michener on June 19, 1959, as recorded at page 4930 of *Hansard* where he said: "Members of the House of Commons, like all other citizens, have the right to be regarded as innocent until they are found guilty, and like other citizens they must be charged before they are obliged to stand trial in the courts. Parliament is a court with respect to its own privileges and dignity and the privileges of its Members. The question arises whether the House, in the exercise of its judicial functions with respect to the conduct of any of its Members, should deprive such member of any of the safeguards and privileges which every man enjoys in any court of the land."

And then further on page 584 of the *Journals* of the House of Commons of Friday, June 19, 1959: "In my view, simple justice requires that no honourable Member should have to submit to investigation of his conduct by the House or a Committee until he has been charged with an offence."

I would repeat what I said yesterday and draw the attention of the House to these words which also appear at page 584: "In my view, simple justice requires that no honourable Member should have to submit to investigation of his conduct by the House or a Committee until he has been charged with an offence."

In the case before us, no honourable Member has taken the responsibility of making a specific charge against any honourable Member. The honourable Member for Winnipeg South Centre (Mr. Churchill) asks for the advice of the Chair as to what kind of motion could be received. This cannot be done; the Chair can only rule on what is actually before it and cannot rule on hypothetical cases or in the abstract.

And debate continuing;

The honourable Member for Edmonton West (Mr. Lambert), seconded by Mr. Woolliams, proposed to move,—That the general and unspecified charges of involvement in the so-called Munsinger case against an unspecified number of Members of this House, all Privy Councillors, made by the Minister of Justice at a press conference on the morning of Thursday March 10, constitute an unwarranted and unsubstantiated attack on the character, integrity and privileges of the said Members; and this House directs that the Minister of Justice must forthwith from his seat specify and substantiate his charges and in default thereof he shall withdraw such charges and allegations, apologize to the said Members and to this House, and resign from this House.

RULING BY MR. SPEAKER

MR. SPEAKER: May I say that the honourable gentleman would perhaps agree with the Chair that when, for 100 years of parliamentary history, motions of this type have never been accepted before, there is a *prima facie* case against the motion now proposed.

I cannot agree that this motion should be accepted—certainly, not for the reasons the honourable Member has mentioned. He himself says it is a substantive motion. I am in full agreement with that. It is a substantive motion and because of this, in the same way as the other motions made yesterday, I submit it might have been moved in other circumstances as a private member's motion. The motion requires notice and for this reason it cannot be accepted by the Chair.

And debate continuing;