

That all the words after the word "that" be struck out and the following substituted therefor:

the question of amending the egg and hog grading acts be referred to the select standing committee on agriculture and colonization.

Amendment agreed to.

Motion as amended agreed to.

IMPORTATION OF FUEL

PROPOSED APPOINTMENT OF FEDERAL COMMISSION OF CONTROL

Mr. HERMAS DESLAURIERS (St. Mary) moved:

Whereas, the federal government contributes its share in its allowances to the unemployed; And whereas, the coal business as carried on in Canada should be altered;

Therefore, this house is of the opinion that, in the public interest the federal government should appoint a commission in order to control the importation of all fuels in Canada.

Mr. SPEAKER: I am afraid this motion is not in order at the present time; it deals with a matter awaiting the adjudication of a court of law, and should not be brought forward in debate. I have observed by the press that the matter sought to be dealt with in this resolution is now the subject of litigation, and therefore it is not open to the house to discuss it at this time.

Mr. LAPOINTE: Has your ruling been given, sir, or may we speak to the point?

Mr. SPEAKER: I shall be glad to hear any remarks on the question of order. In my opinion the motion is not in order and is not open for discussion, but if any hon. member wishes to address the Chair I shall be glad to hear what he has to say.

Hon. ERNEST LAPOINTE (Quebec East): I submit, Mr. Speaker, that this resolution could be discussed without reference to what Your Honour has in mind with regard to a certain case which is actually before a court of law. That matter is absolutely independent from these proceedings; there are other companies importing coal apart from those the activities of which have been reviewed by the courts. I quite realize that if anything is said by the hon. member for St. Mary with reference to what is actually before the court he would be liable to be called to order, but until he does say something of the kind I do not see that he is out of order in bringing this matter before parliament.

Mr. SPEAKER: The article reads as follows:

Appeals of five coal companies from convictions and fines totalling \$30,000 on charges of

forming a combine will be heard at the next sitting of the court of appeals. Postponement was granted at the request of defence counsel when the cases were called to-day.

The companies are the two Canadian import companies, two F. P. Weaver companies and the British Coal Corporation. They were charged with forming a combine in restraint of trade against the interests of the public.

The resolution reads:

Whereas, the federal government contributes its share in its allowances to the unemployed; And whereas, the coal business as carried on in Canada should be altered;

Therefore, this house is of the opinion that, in the public interest the federal government should appoint a commission in order to control the importation of all fuels in Canada.

Surely a discussion of that resolution would be within the rule prohibiting the discussion of matters awaiting adjudication in the courts.

Hon. HUGH GUTHRIE (Minister of Justice): I think perhaps your ruling is a little broad, Mr. Speaker. I am inclined to agree with the view expressed by the hon. member for Quebec East (Mr. Lapointe). So long as the debate contains no criticism of the matter before the courts, and does not involve a discussion of the cases being considered, I do not think it should be excluded in this House of Commons. The particular cases which you have mentioned to the house as having been noted in a newspaper dispatch do not involve the whole question of the importation of coal into Canada, but only, I believe, the importation of British coal; outside of that there could be consideration of importations from the United States, Russia and other countries. I think that so long as the discussion does not in any way involve matters actually before the courts it cannot be out of order. However, if in the course of debate such a discussion is entered upon by any hon. member I believe Your Honour should intervene and call the member who transgressed to order.

Mr. CHEVRIER: On the point of order, may I say that there is a rule determining to what extent a press dispatch or clipping may be used in this House of Commons. To what extent is the house seized of the fact that the matter is sub judice when we have, for the moment, no other knowledge than that which is contained in a press notice? I make this submission for Your Honour's consideration.

Mr. HACKETT: It is common knowledge.

Mr. SPEAKER: I am entirely in the hands of the house. If it is the desire of hon. members to proceed with the resolution, I am content.