

the attention of the committee the facts, as I believe, that there is present in the committee now, taking part in the deliberations of the committee, and there has been for some days in the House, taking part in the deliberations of the House, an hon. member who, according to my judgment, has forfeited his right as an hon. gentleman to longer continue to occupy a seat in this committee or in this House. It may be a source of surprise to some hon. members that I should make this statement, it may be a matter of curiosity to others. I am bound to say that I do not state that to be the fact from a legal standpoint at all. The position of the hon. member to whom I refer, the hon. member for Cape Breton and Victoria (Mr. D. D. McKenzie) is one which he has brought on himself voluntarily, it is a peculiar one. His retirement, the forfeiture of his seat cannot be enforced by law or by the rules and regulations or procedure of this House, it rests entirely with the hon. member to say before this House whether he recognizes those principles of honour which should characterize the conduct of a public man either in this House or out of this House when speaking on a public occasion. It is, I say, therefore a matter entirely with the hon. member himself as to whether he appreciates, fully appreciates—

Mr. ALEX. JOHNSTON. I rise to a point of order. I desire to ask through the chairman what clause of the Bill the hon. member for Hastings is discussing?

Mr. SPROULE. Clause 16, No. 2.

Mr. PORTER. I think I stated my position that there was in the chamber an hon. member who shortly will be called upon to vote and I am questioning that right—

Mr. DEPUTY SPEAKER. The hon. member must discuss matters relative to the subject before the chair. If it is a question of privilege it is different altogether.

Mr. PORTER. Quite so, the matter I am speaking to has reference entirely to a difference of opinion between my hon. friend and myself as to this very clause 16.

Some hon. MEMBERS. Order, order.

Sir WILFRID LAURIER. Chair.

Mr. PORTER. I think I might be permitted to go on without going to the extreme of moving for the rising of the committee because it is a matter of which I have given my hon. friend notice and of which I have spoken to the Prime Minister in reference to bringing it before the House. I was told by the Prime Minister that when clause 12 was under discussion would be the best time to bring it up.

Sir WILFRID LAURIER. The hon. gentleman told me the other day that he wanted to have a point of difference between him and the member for Cape Breton and Vic-

Mr. PORTER.

toria (Mr. D. D. McKenzie) settled. I forget the time at which he wanted to discuss it, but I told him that I thought he might find an opportunity when we were in committee on this Bill, but if the hon. gentleman had told me that he wanted to put in jeopardy the seat of the hon. gentleman or to question his right to take part in the proceedings, and to vote upon the question now before the House, certainly I would not have told him what I told him. I understood the hon. gentleman wanted to have just a little passage at arms between himself and the hon. member for Victoria such as the hon. member for East Grey (Mr. Sproule) has attempted to have with the member for Centre York (Mr. Campbell), but if the hon. gentleman had stated that he wanted to put in question the right of an hon. member to a seat in this House or to take part in the proceedings or to vote, my hon. friend must realize that a question of this kind cannot be taken up at this stage.

Mr. PORTER. I did not take the position, nor do I intend to put in jeopardy the seat of the hon. member to whom I have referred; that is a matter resting with him. It rests with him as to whether he shall jeopardize his seat.

Some hon. MEMBERS. Order.

Sir WILFRID LAURIER. I do not see any difference.

Mr. PORTER. But I do claim I have a right inasmuch as there is a difference of opinion between the hon. member and myself with regard to clause—

Some hon. MEMBERS. Order, order.

Sir WILFRID LAURIER. Chair.

Mr. DEPUTY SPEAKER. My ruling is that it is not relevant to the question. We are discussing clause 16 and the amendment thereto. This can have no bearing on that.

Mr. PORTER. I move that the committee rise.

Sir WILFRID LAURIER. I wish to point out to my hon. friend, and I think he will agree, that he has no right on such a motion to speak of anything else than the question before the House.

Mr. PORTER. I move that the committee rise, and the reason I do so is that the committee is not at the present moment properly constituted, that the committee ought not to proceed further constituted as it is at the present moment for the reason I have already pointed out.

Mr. DEPUTY SPEAKER. I rule that motion is out of order.

Mr. PORTER. What is out of order?

Mr. DEPUTY SPEAKER. Raising the question that the committee is not properly constituted. I declare that out of order.