

# F. B. CARVELL PROTESTS AGAINST "GAG" RULE

The Member for Carleton Argues Against Suppression of Free Speech in Parliament of Canada — New Brunswick Humiliated by Hazen and Robidoux

(Hansard)  
Mr. F. B. CARVELL (Carleton, N. B.): Mr. Speaker, my hon. friend from Brandon (Mr. Aikins) will allow me to congratulate him on the extremely moderate tone of the speech which he has delivered to the House during the last three-quarters of an hour, and, on the small amount of poetry he has inflicted on us. My regret is that as the hon. member from Laval (Mr. Wilson) remarked, the hon. gentleman has not given us the music to go with that one piece of poetry he quoted, because, had he done so, it would no doubt be a great acquisition to the members of this House. The pith of the hon. member's argument seems to be that Canada has lagged behind every other nation of the world in the management of its parliamentary business, and that the time has come when Canada must rehabilitate herself in the eyes of the world. I want to be perfectly fair with the hon. member, and if I am misrepresenting the general tone of his speech I would be glad if he would set me right. He has worked out our present condition by what might be called a process of elimination. He has come to the conclusion that next to the United States Senate we are the most obsolete and out of date country in the world in so far as the management of public affairs is concerned. He has given us a long description of what they do in Australia, in Germany, in Denmark and in the Netherlands. He has shown us how they go about to shut off free speech in those countries. He has shown us how the rights of the subjects there are curtailed. With the exception of France, I do not think it is very much of a compliment to the people of Canada to have their right of free speech and their conduct of business compared with what goes on in continental Europe. Nobody pretends to be a free man in continental Europe, with the exception of France, as we do in Canada. My hon. friend forgets that the doctrine of lese majeste can be applied to people in pretty nearly every country in continental Europe. A man is not entitled to say what he thinks about the government of the day. If he does, he may be hauled any day before the courts. My hon. friend ought to give us a comparison of our present system with that of the English Parliament. The only comparison which he gave was the bald statement that the restriction was introduced in the Imperial Parliament in 1882, modified in 1887, and that our proposed rules are much more limited in their scope than the English rules. I wish to discuss that branch of the case briefly to see whether my friend is justified or not in making such a bald statement. Before that can be discussed intelligently, it will be necessary for me to go back to the historical source of the different rules. For the sake of lucidity, I wish to discuss them from three different standpoints.

Section 2 of this proposed resolution is intended to restrict debate. I use that word advisedly. It is intended to take away from the present Parliament certain rights of debate which it now possesses. It is true my right hon. friend attempted yesterday to argue the other way and to show that practically everything which could be discussed at the present time could be discussed under the proposed rules. My friend is in error in that, very much in error indeed. We are being deprived of what is perhaps the most prized privilege of liberty of debate in the Canadian House of Commons. Under section 2, they are taking away the right to move the adjournment of the House, except under that rule of our Parliament which provides that we may move the adjournment of the House to discuss a matter of public business. The right to adjourn the debate are both practically taken away from us under the proposed rule.

I submit that the right to rise to a question of privilege is also taken away from us under the proposed rules. It is true my right hon. friend debates that and says that, as he

understands it, you can rise to a question of privilege and you can move that the conduct of a member be referred to a special committee, as was done by the member for St. Hyacinthe (Mr. Gauthier) a few weeks ago. That may be a debatable point. When my hon. friend tells me that we have greater liberty under this than under the British system, I wish to call his attention for a few moments to some of the rules of the British Parliament. Standing Order No. 22 reads as follows: "When a motion is made for the adjournment of a debate, or of the House during any debate, or that the chairman of a committee do report progress, or do leave the Chair, the debate thereupon shall be confined to the matter of such motion; and no member, having moved or seconded any such motion, shall be entitled to move or second any similar motion during the same, debate."

Then follows standing order 23, which is practically the same as rule 158:

"If Mr. Speaker, or the Chairman of a Committee of the Whole House, shall be of opinion that a motion for the adjournment of a debate, or of the House, during any debate, or that the Chairman do report progress or do leave the Chair, is an abuse of the rules of the House, he may forthwith put the question thereupon from the Chair, or he may decline to propose the question thereupon to the House."

My friend will see that under the English rules, you always have the right to move the adjournment of the House or the adjournment of the debate. Of course it is left in the discretion of the Speaker. I shall perhaps have occasion to refer to the Speaker at a later portion of my short address. It is well recognized that the Speaker in the British House of Commons occupies a very different position from that which he occupies in the Canadian House of Commons. I am not speaking about the present Mr. Speaker or any other; I am speaking about the office of the Speaker. When a member wishes to move the adjournment of the House or the adjournment of the debate, it is in the discretion of the Speaker as to whether he will have the right to move it. Once he has the consent of the Speaker, who acts almost in a judicial capacity, he has the right to move it. That, however, is absolutely taken away from us under the present rules. One of the dearest liberties of the minority in the House of Commons is taken away from us at one fell swoop. Yet my hon. friend tells me that we have greater liberty under these rules than under the British rules. The great difference between the underlying principle of the proposed clause 2 and the underlying principle of the rule in the British Parliament is that in the British Parliament certain things are taken away from members, whereas in the Canadian Parliament certain things are given to members and all other

things taken away from them.

Mr. MEIGHEN: Does the hon. gentleman argue that motions to adjourn the House or the debate cannot be made under the 6 proposed rule?

Mr. CARVELL: I certainly do cannot be made.

Mr. MEIGHEN: Yes.

Mr. CARVELL: Cannot be debated. What is the use of making them if they cannot be debated?

Mr. MEIGHEN: I understand they can be made in the British House of Commons as they have been heretofore, for the purpose of discussing certain matters.

Mr. CARVELL: In the British House of Commons a motion can be made to adjourn the House or the debate, exactly as in this House, except that the Speaker has the right to say whether the member shall have the right to do it or not. That is the point that I am making. It is quite different from the rule proposed by my right hon. friend. That is only a sample of the way our liberties are being abridged. As I was saying when I was interrupted, the underlying principle in the proposed Canadian legislation is that we are giving the right to discuss a few matters while all others are absolutely taken away from us, whereas in the British House, a few things are taken away and all others left open for discussion subject to the discretion of the Speaker. And one has only to consider for a few minutes what I have pointed out to realize what cardinal right is being taken away from the minority in this House. Then, the second general heading of the proposed rule is what would ordinarily be called the closure rule, and that is the branch of the case which my hon. friend discussed, referring to what was done in other parliaments. But there is as much distinction between the underlying principle of the proposed closure rule in the Canadian House and the actual closure rule of the British House as there is between the rights of discussion of which I have just spoken. Clause 3 is as follows. And, Mr. Speaker, I want to have this put on 'Hansard' again in order that we may, if possible, get hon. members opposite to realize some of the iniquity of the proposed rule:

"(3) Immediately before the Order of the Day for resuming an adjourned debate is called, or if the House be in Committee of the Whole, or of Supply, or of Ways and Means, any minister of the Crown who, standing in his place, shall have given notice at a previous sitting of his intention so to do, may move that the debate shall not be further adjourned, or that the further consideration of any resolution or resolutions, clause or clauses, section or sections, preamble or preambles, title or titles, shall be the first business of the committee, and shall not further be postponed."

Mr. EMMERSON: He can interrupt the proceedings of one matter to give notice with regard to another?

Mr. CARVELL: At any time, as I understand it, he can interrupt the proceedings to say that he proposes the next time the matter comes up that there shall be no adjournment. (Reading):

"—and in either case such question shall be decided without debate or amendment; and if the same shall be resolved in the affirmative, no member shall thereafter speak more than once, or longer than twenty minutes in any adjourned debate; or, if in committee, on any such resolution, clause, section, preamble or title; and if such adjourned debate or postponed consideration shall not have been resumed or concluded before two of the clock in the morning, no member shall rise to speak after that hour, but all such questions as must be decided in order to conclude such adjourned debate or postponed consideration, shall be decided forthwith."

Now, Perhaps it might be well to give the House something of the history of Parliament to show what has led up to this proposed rule. Hon. gentlemen opposite, in trying to find out how they could best throttle the Opposition—and I use that word advisedly—how they could best succeed in absolutely shutting off debate when they wanted to, did not take the English rule, which it seems to me, should be severe enough to satisfy anybody, but went back fifty or sixty years to find something which would be more drastic and would serve their purpose better. They brought forth

clause 3 as the result of their labours. The first time you find this mentioned was in 1848. I am referring to Redlich's proceedings of the House of Commons, vol. 1, page 86-87. A committee had been appointed by the House of Commons to consult with the Speaker and see if they could do something towards reforming the rules of the House. This committee had made a report and certain unimportant matters which were recommended had been adopted. The committee also made a proposition to the House which was not adopted, and that proposition was as follows:

"A final suggestion as to adjournment was that before resuming an adjourned debate on any subject, a motion might be made that this debate shall not be further adjourned, and that if this were carried, the debate should not be prolonged beyond 2 a.m., when the Speaker should put the question."

Sir, that is the first record I can find of any person proposing closure in the British House of Commons. It was proposed, as I said, by a committee, but was not adopted by the House of Commons. It might be worth while to state here that, so far as we can find, down to the time when it was decided that closure was necessary by reason of the obstruction of the Irish members in the late seventies and early eighties, all these proposed amendments were made by committees that were guided very largely by the Speaker and

(Continued on page nine)



The opera, the concert and the vaudeville of the city come to the small towns more vividly than ever before on the

## Edison Phonograph

because Edison has just created a new record—the Blue Amberol—which is sweeter and finer in tone and reproduces in a more lifelike way than any other phonograph record ever made. And once the best music and songs of the best artists have come to you on Blue Amberol Records it will always be yours as vividly as at first, for the Blue Amberol never wears out.

Hear it at your Edison dealer's today.

Thomas A. Edison, Inc., 100 Lakeside Ave., Orange, N. J., U. S. A.

A complete line of Edison Phonographs and Records will be found at

A. E. JONES & CO., King Street

## PAINT EYE-OPENER!

Other business questions you approach with eyes wide open. Don't break your rule when you paint or let a contract. Get endurance truths first.

Examine facts and figures as to quality and quantity of white lead in paint. For white lead is paint's first essential. You will find that only one paint firm in Canada corrodes and grinds its own white lead. And that white lead is the World's hundred-year-old standard. You will sense the significance then of the guaranteed formula of

**BRANDRAM-HENDERSON**

"ENGLISH" PAINT

Come in! Facts and figures are laid out plainly for you in a booklet.

**W. F. DIBBLEE & SON,**  
WOODSTOCK, N. B.

## Printing

Our facilities enable us to guarantee the Quality of our work

THE kind you ought to use and when you ought to have it, that is really when you need it. We have contracted the habit of satisfying all our customers. Our work as a business getter is of the Highest Quality. **THE SENTINEL**

## Spring Goods!

We have a Full Stock of Spring Goods.

### Art Squares

In Unions, Wool, Tapestry, Brussels, Velvet, Axminster and Milton.

Prices from \$5.00 to \$35.00 each.

CALL EARLY AND GET FIRST CHOICE.

LINOLEUMS, OILCLOTHS, PARLOR SUITES, DRESSERS, IRON and BRASS BEDS, SPRINGS and MATTRESSES.

Prices to compete with Mail Order Houses. Come in and be convinced.

Agents for VICTOR TALKING MACHINES

**A. Henderson Furniture Co.**

Queen Street

(LIMITED)

## 1913 Corns

Should Not be Treated in an 1813 Way

Folks used to pare corns before any treatment was known for them. Then came liquids and pads—all before a chemist learned how to remove them. Now a way is known to take out corns—to remove them entirely, in 48 hours.

A in the picture is the soft B & B wax. It loosens the corn. B stops the pain and keeps the wax from spreading. C wraps around the toe. It is narrowed to be comfortable. D is rubber adhesive to fasten the plaster on.

### Blue-jay Corn Plasters

Sold by Druggists—15c and 25c per package. Sample Mailed Free. Also Blue-jay Bunion Plasters.

(321) Bauer & Black, Chicago & New York, Makers of Surgical Dressings, etc.

Phone 179-11.

King Street, Woodstock

## HUDSON BAY Fire Insurance Co. of Canada

LICENSED BY THE DOMINION GOVERNMENT

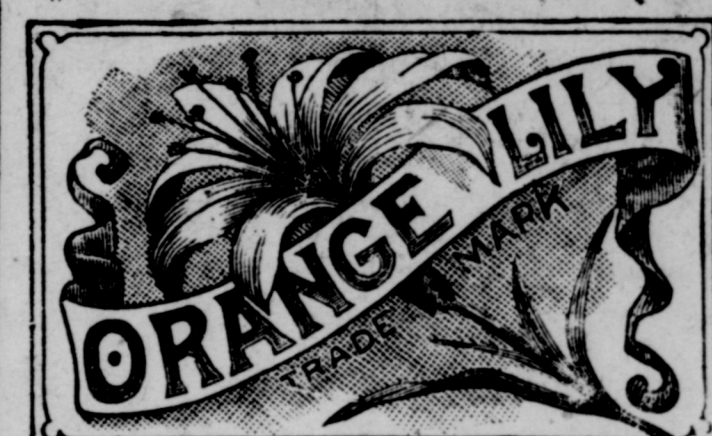
Government Deposit	\$66,000.00
Capital	\$2,000,000.00
Total Cash Income for the Year 1911	\$349,441.00

Best Insurance for the Least Money.

**F. W. BOYER, - Agent Car. Co.**

Office—Cor. Main & Connell Sts., (Up Stairs) Woodstock, N. B.

### "ORANGE LILY SAVED MY LIFE"



These words or expressions, having the same meaning are contained in hundreds of the letters I have received during the past year. Many were from women who had suffered agonies from falling of womb; others from a woman who had escaped dangerous surgical operations, as the tumors and ulcers had been removed by the action of Orange Lily; and others who had suffered from suppressed menstruation, leucorrhoea, painful periods, etc. For all these and the other troubles known in general as Women's Disorders, Orange Lily furnishes a positive scientific, never-failing cure. It is applied direct to the suffering organs, and its operation is certain and beneficial. As a trial, actually proves its merit. I hereby offer to send absolutely free, a box worth 50c., sufficient for ten days' treatment, to every suffering woman who will write for it. Enclose 2 stamps. MRS. FRANCES E. CURRAM, Windsor, Ont.

For Sale by Leading Druggists Everywhere