

Hon. Mr. O'Leary: But you have spent a great deal of time discussing what took place in England during the Nineteenth Century. You have not been discussing what has taken place in Canada at all where our ministers are not responsible to a civil service. You well know that our foreign policy, for example, was always dictated to us by the Governor General acting on behalf of the Crown. You know that as well as I do.

Hon. Mr. Lamontagne: I do not agree with that.

Hon. Mr. O'Leary: But you were not here before 1919, and I was. At that time the Governor General had his office in the East Block.

Hon. Mr. Lamontagne: But we are not dealing with the same period. You are referring to the period before 1919, while I am trying to describe the situation in Canada after 1935.

Hon. Mr. O'Leary: The situation which existed after 1919 was brought about by Sir Robert Borden, and well you know it. You are now giving us Liberal mythology.

Hon. Mr. Croll: Not Liberal mythology, just mythology.

Hon. Mr. Lamontagne: May I continue?

Hon. Mr. Flynn: Before the honourable senator goes on, I should point out that he said he wanted to close the debate, and so I rise more or less on a point of order. I do not intend to stop him from completing his remarks, but I would suggest to the honourable senator that he can hardly relate his thesis and all that he has said up to now to the subject matter before us, which is "the review by the Senate of instruments made in virtue of any statute".

Hon. Mr. Lamontagne: I think the Leader of the Opposition should read the earlier speeches made by his own colleagues.

Hon. Mr. Flynn: They have made some remarks, but they have not spoken for half an hour on this. This is only incidental, and I suggest to the honourable senator that he is completely out of order and that his remarks are irrelevant. I would certainly like to start another debate on this very matter which the honourable senator has discussed, but he is entirely out of the picture that we are supposed to be dealing with at the present time, and he should know it. Even if what he is saying is very interesting and convincing, it does not serve the purpose we are trying to achieve, to decide whether we should review

the "instruments made in virtue of any statute". That has nothing to do with the power of civil servants and ministers.

Hon. Mr. Lamontagne: I am sorry, honourable senators, if the Leader of the Opposition does not listen to the debates and speeches made in this chamber.

Hon. Mr. Flynn: I do listen. At least, I do listen to you!

Hon. Mr. Lamontagne: May I speak? I have listened very attentively to this debate, and it was only at the end of the debate that I decided to intervene and participate in it, because it had developed along those lines. Moreover, I am quite sure that what I am saying now is germane to the motion presented by the Leader of the Government.

Hon. Mr. Flynn: You will never be out of order on that score!

Hon. Mr. Lamontagne: No, but I think you should listen to what your colleagues are saying in this chamber.

The Hon. the Speaker: Order, please! A point of order has been raised by the Leader of the Opposition. It has to do with relevancy of debate. As I understand the point raised by the Leader of the Opposition, it is that up to now the views expressed by the honourable Senator Lamontagne have not been relevant to the subject matter we are now discussing.

Hon. Mr. Flynn: If the honourable the Speaker wants to make a ruling on it, I do not mind—especially if he makes it against me. I did not intend to prevent the honourable senator completing his remarks, but I wanted to put on record that as far as I am concerned he was out of order.

The Hon. the Speaker: A point of order has been raised, and as I have been waiting for some time for the opportunity to make a ruling on precisely this matter of relevancy, I hope that the Leader of the Opposition will not deprive me of the opportunity of placing on the record what is my feeling on this question.

Hon. Mr. Flynn: Very good.

The Hon. the Speaker: I am going to cite Beauchesne, 119-3:

Relevancy is not easy to define.

Hon. Mr. Flynn: I have heard that before too.