

Point of Order

I appeal personally to the Prime Minister so that he himself will introduce a motion to divide this resolution in two parts, which would prevent any conflict or split and enable hon. members to vote according to their conscience. In addition, this would remove the dilemma in which the resolution places them today.

In view of the circumstances, I feel it is the duty of the Prime Minister of Canada today to divide the motion so as to give satisfaction to a large number of members who are anxious to vote in favour of a distinctive national flag but who object to any allegiance to another country. It is the Prime Minister's duty to enable those members to vote for a distinctive national flag. We cannot support the motion as it stands at present. That is why the Prime Minister must make it possible for us, representatives of the province of Quebec who wish to drop any allegiance to another country, to vote in favour of a distinctive national flag.

That is why I call upon the Prime Minister personally to allow us to vote not only once on the two flags, but twice: once for the national distinctive flag and the second time for a symbol of allegiance to another country.

[Text]

Mr. G. W. Baldwin (Peace River): Mr. Speaker, I have just a very brief contribution to make to this discussion. I have listened to the very interesting and ingenious argument of the hon. member for Winnipeg North Centre (Mr. Knowles), but it seems to me he is met with one fatal obstacle. He has attempted to stick-handle around it, but it is still there. I refer to standing order 44, which is in simple, definite, precise, unambiguous words:

When a question is under debate no motion is received unless to amend it; to postpone it to a day certain; for the previous question; for reading the orders of the day; for proceeding to another order; to adjourn the debate; or for the adjournment of the house.

I call to Your Honour's attention that right at the beginning of the standing order it says the date when this rule apparently came into effect, was either promulgated or amended to its present form, was July 10, 1906. I think the standing orders of this house, like any statute, are designed to meet certain situations and I have not any doubt that the very interesting case and precedent cited by the hon. member for Winnipeg North Centre and other similar cases might well have been

part of the reasoning behind the appearance of this particular rule in its present form.

If the hon. member, or any other hon. member, can produce any Canadian citation or precedent indicating that subsequent to July 10, 1906 there has been a case where a resolution has been divided, despite the provisions of standing order 44, then Your Honour would be met with a different situation. But the only citations mentioned, as I understood the hon. member for Winnipeg North Centre, subsequent to this date were English citations. There is no indication before Your Honour that there is an English rule comparable to this. I submit that on the basis of standing order 44, the very clear and precise wording of this rule, and the fact that the only citations which have been mentioned are those prior to this date, Your Honour is in the position that he must follow this rule. This is the rule laid down by the house for the guidance of Speakers and of the house in the future. I must fall in with what the hon. member for Lapointe (Mr. Grégoire) has said, that barring the decision by the government to bring forward a new resolution or two new resolutions we are bound by the resolution as it stands, as Your Honour is bound by the provisions of standing order 44.

Mr. Knowles: Mr. Speaker, may I ask the hon. member for Peace River a question before he sits down? Is he not aware of the fact that I proposed that we follow standing order 44, by having a motion to read the orders of the day and carrying on with the kind of procedure that was used by Sir John A. Macdonald?

Mr. Baldwin: I would submit, Mr. Speaker, with all deference, that the hon. member is simply begging the question there.

Mr. Speaker: Are there any other hon. gentlemen who wish to speak on the point of order? I am sure it will come as no distinct surprise to all hon. members that I, too, have done a little homework in the last few days; in fact, considerable research. Along with my advisers I have given this matter as much consideration as was possible and I have reached an opinion which I think it my duty to give to the house.

Our standing orders do not specifically provide for the dividing of a complicated question. However, such Canadian authors as Bourinot and Beauchesne, and such British authors as May, do recognize such a proceeding. May, at pages 411 and 412 of his 16th edition, states: