

*Private Bills*

Therefore, I think if they can come up with a flag which is going to gain general recognition and support across the country, a bill supporting that particular flag, with a scheme by which it can be determined if it is generally acceptable throughout the country, should be brought forward. If it could be shown that there is a substantial feeling throughout the country in favour of such a flag, then it would be time for the government to step in and act.

I am not sure whether I would be in order if I were to comment on some of the particular designs that I have seen and on some of the reasoning behind the wish to depart from the use of the union jack and the red ensign. Earlier in my remarks I pointed out that while Canada is growing up and becoming in some ways more nationalistic, more important, a bigger and richer country having a wider influence in world affairs, at the same time we have greater responsibilities to the United Nations and must beware of voicing too great a feeling of nationalism at the present time.

We are, of course, tied to the British commonwealth. While it is true that perhaps not all the citizens of this country have direct family ties with the United Kingdom, no one can forget for a minute that the development of this parliamentary system that we enjoy today is an offspring of the British one or that our heritage in the administration of law is a direct descendant of the British system. In fact, British cases are still used in our courts as precedents. I would think that we would blind ourselves a little to say that we want to get a flag which will not identify us with these things that, fortunately or unfortunately, we must readily identify ourselves with as a country.

With these few remarks, Mr. Speaker, I will conclude because to deal adequately with all the various aspects of the type and design of flag, and what should be represented and should not be represented on it, would make a speech a little longer than I think even my patient friends in the house would care to listen to at this time.

**Hon. Gordon Churchill (Minister of Veterans Affairs):** I am rising at this time, Mr. Speaker, on a point of order. I grant that it is a little late in the debate to raise it, but I was under the misguided assumption that perhaps Your Honour would have raised the question as you did on January 23. As I was absent unavoidably from the house then I have had to look up what was said in the debate on that occasion before interrupting this debate to get your opinion on the point of order.

The point of order is simply this: Are we not establishing now a precedent that any

number of bills dealing with the same subject may be before the house and debated in the same session? We had before us early in the session Bill No. C-8, an act to authorize a Canadian flag. This measure was debated and there is an item on the order paper, No. 32, for the resumption of that debate. We are dealing now with Bill No. C-17, an act respecting the flags of Canada, which is intended to be an act to authorize a Canadian flag. It is, therefore, really dealing with the same subject matter. I notice that Beauchesne's fourth edition, page 167, paragraph 200, subsection 2, says this:

Not more than one question should be before the house at the same time. "When a motion hath been made, that matter must receive a determination by a question, or be laid aside by the general sense of the house before another be entertained."

This is a restatement of an old rule of June 28, 1604. It indicates the possibility of the withdrawal of a motion by leave of the house. In so far as Bill No. C-8 is concerned, which was before us earlier, it has not been withdrawn or determined by a question. It has not been laid aside by the general sense of the house. It is still before us and could be considered at any time. Then, subsection 3 of the same general paragraph says:

A motion dealing with the same subject matter as a bill standing on the order paper for second reading cannot be considered.

I believe that was the problem that was before Your Honour on January 23 when you were considering whether a motion might be debated, although there were two bills dealing with the same subject matter on the order paper. In looking up *Hansard*, page 1307, January 23, 1961, I find that you did not make a ruling that you expected would remain as a precedent because your words are as follows:

If the house will then permit me to accept this motion, with the very definite reservation that it will not be too weighty a precedent, I shall be glad to call on the hon. member for St. Boniface.

You were dealing then with the question of a resolution rather than a bill. Earlier, I find that when you were drawing the attention of the house to the fact that there was a technical difficulty because there were two public bills standing on the order paper, these are the words which you used as recorded on page 1306:

—a technical difficulty which results from the fact that there are two public bills standing on the order paper both dealing with the question of a distinctive national flag, which is also the subject matter of this motion.

Then this paragraph is essential to the discussion, Mr. Speaker, as you went on to say:

The problem of conflict between two items on the order paper dealing with the same matter has