

arising out of the agreement made with this country when we agreed to relinquish responsible government.

The strict legal position is that this country was entitled as of right to demand the return of responsible government as soon as we were self-supporting. The only justification for this Convention is to present the facts to the people of the country, to enable them to make up their minds as to whether or not they wish to advise the United Kingdom government that it was their desire that responsible government be restored. The only choice that can be put at the referendum is between responsible government as it existed prior to 1934 and Commission of Government as it presently exists. I am quite certain that the act constituting this Convention was never intended to cancel the agreement between the Newfoundland and United Kingdom governments and that the words in our Convention Act, "forms of government", must and can only mean two forms, Commission of Government or responsible government. I say this, Mr. Chairman, in spite of any contrary interpretation given by our constitutional expert, Professor Wheare.

To buttress my opinion, I would refer you to the White Paper, namely the *Report on the Financial and Economic Position of Newfoundland* presented by the Secretary of State for the Dominions to Parliament in June, 1946.¹ On the first page is stated, "Under the agreement made with the Newfoundland people in 1933 a pledge was given that as soon as the island's difficulties had been overcome and the country was again self-supporting, responsible government would on request from the people of Newfoundland be restored."

Mr. Smallwood What White Paper?

Mr. Higgins The Chadwick-Jones Report. I would refer you also to the statement made in the House of Commons on December 2, 1943, by Mr. Emrys-Evans, Under-Secretary of State for the Dominions during the debate on Newfoundland affairs:

The arrangements made in 1933 included a pledge by His Majesty's Government that as soon as the island's difficulties had been overcome and the country was again self-supporting, responsible government, on request of the people of Newfoundland would

be restored. Our whole policy is governed by this undertaking. As soon as practicable after the end of the war, that is, the war in Europe, machinery must be provided for enabling the Newfoundland people to examine the future of the island and to express their considered views as to the form of government they desire, having regard to the financial and economic conditions prevailing at the time. If the general wish of the people should be for a return to responsible government, we for our part shall be very ready if the island is then self-supporting to facilitate such a change. If, however, the general wish should be either for the continuance of the present form of government or for some change of the system which would fall short of full responsible government, we shall be prepared to examine such proposals sympathetically and consider within what limits the continued acceptance of responsibility by the United Kingdom could be recommended to Parliament.

And now, gentlemen, to enable you to express your considered views as to the form of government you should recommend, I intend to read to you the summary of the reports on our three main industries — mining, forestry and fisheries, and the concluding paragraphs of the Economic Report. The most important one first — the fisheries. I would direct your attention to the mimeographed sheets which are on your desks entitled "United States Concessions to Newfoundland," and "Reduction in Tariffs of interest to Newfoundland other than those obtained in direct negotiations."

Previously the quota for fresh-frozen fish was an annual one beginning January 1 each year. The quota was always used up within the first few months of the year.... Our main operations do not start until May, so Newfoundland was getting very little if any benefit from the reduced quota rate. Now the quota is subdivided into four quarterly periods which improves our position tremendously. The credit for making this arrangement goes entirely to Mr. R. Gushue, Chairman of the Newfoundland Fisheries Board. I asked Mr. Gushue his opinion of the future of our fresh-frozen fish in the United States as compared with that of other countries. He told me,

¹Volume II:16.