

written in the bond. What was written in the bond was that I should recommend possible forms of future government to be put before the people at a national referendum. It was not mentioned that I should express a personal preference. And indeed, the whole idea of expressing preference is repugnant to me. For by expressing preference, this Convention will register a majority approval of one form of government to the exclusion of all others, and thereby influence the result of the referendum. Little as we are thought of by all the holier-than-thous who are so certain that they could have done better, there are still many who would likely be influenced by a majority vote of the Convention. But for the Convention to take advantage of that likelihood and register a majority opinion, seems to me like a distortion of its purpose; and consequently I will not be a party to the expression of preference. For my part I would prefer that the people should go to the referendum with their minds unbiased by any majority declaration of preference by this Convention.

As far as I am qualified to judge, I cannot see why the issue of union with Canada upon the basis of the proposed terms should not be put to the people. That is as far as I feel called upon to go in the matter at this moment. But I do have to face the query as to whether or not it is fitting and proper that our people should have the issue of union put to them under such circumstances as those of the national referendum that is to follow in a little while; not to, brings up the whole constitutional question....

To begin, let me say that I do not pretend to be an expert, an authority, or even a novice in constitutional law. To tell the truth, I don't know the first thing about it. My concern most of the days of my life has been with trying to help the little fellow the better to make both ends meet, and with his ideas of how things should go in this island. In consequence I am quite prepared to leave discussion of the constitutional position "at law" involved in the confederation issue to those in our midst who are eminent King's Counselors, Doctors of the Law and Justices of the Peace. Being a simple soul, who thinks more in the same terms as the singer out on the squid-jigging ground than in the terms in which a Privy Counsellor thinks, it seems to me that all this current furor over the constitutional propriety of

confederation being placed on the ballot paper is much ado about nothing. I am not prepared to accept the argument that makes the placing of confederation upon the referendum ballot a constitutional issue. Actually it is no argument at all to say that it is not constitutionally proper for confederation to appear upon the referendum paper, and that Commission of Government and responsible government should be the only alternatives submitted to the people. The way I see it, all that is distortion of the realities of the matter. To me such an argument makes as much sense as it would to say that two and two make five — therefore the grass is pink in summer.

I have said that in determining upon referendum alternatives we are bound in conscience, by tradition, and in fact and by right reason in all things. I can find no cause therein to exclude confederation from the consideration of the people. It is not legitimate to contend to the contrary, on the grounds that proper constitutional procedure requires return to responsible government before the people are approached to discover if they desire union with Canada. That is not the case. It may be that we should have to have some measure of restoration of responsible government before the act of passing into the Canadian confederation could be officially concluded. But that is a different matter, and in no way concerns the referendum.

The referendum, to my mind, is a device intended purely and simply to find out what the people desire in the way of government. No considerations of constitutional propriety can conceivably be involved. It's to be a simple matter of asking the people just what they prefer in the way of government — a matter every bit as simple as asking them what they would prefer in the way of pie. And there are no constitutional strings attached to the act of ascertaining the desired constitution, anymore than there would be constitutional strings attached to the act of ascertaining the desired pie — whether it be apple pie or blueberry pie, or pie by and by from Ottawa. Unless it can be shown that confederation *per se* is not a proper alternative, we may not seek to exclude it from the referendum out of consideration of constitutionality which do not enter into the matter. What the proper procedure would be to give effect to the preferred constitution would be something else; then we would