

## Newfoundland

decision is more apt to be a political decision than a judicial decision.

**Mr. Knight:** Was any arrangement made in regard to federal grants in aid of education? Was there any discussion in regard to that?

**Mr. St. Laurent:** There was no discussion on federal grants in aid of education other than the provision made for the extension to the people of Newfoundland of the legislation relating to veterans. The transitional grants provided were fixed after all the requirements of the public services of the province had been considered. There was no special portion allotted for education, but the over-all picture was studied to arrive at a figure that, in the opinion of those who were making the agreement, would make it a workable agreement.

**Mr. Knight:** I was thinking in particular of the vocational grants now given to technical schools in the other provinces and derived from dominion funds. Was anything done about that? Will these same grants be available?

**Mr. St. Laurent:** Yes. We attempted to draw this agreement in such a manner that the citizens of Newfoundland would become full Canadian citizens in every respect of rights and obligations.

Section agreed to.

On section 18—*Continuation of laws.*

**Mr. Cruickshank:** Am I to understand that any laws enacted here will be binding, or can they be appealed and abolished as was done in the case of oleomargarine by the supreme court after sixty-seven years?

**Mr. St. Laurent:** The hon. member uses language which does not perhaps accurately describe what the supreme court did. The supreme court did not abolish the law. The supreme court decided that those who passed the law had no right to do so and that it had never been any good.

**Mr. Cruickshank:** What about my question? Am I assured by the Prime Minister that this law is good and that they cannot abolish it?

**Mr. St. Laurent:** To the best of my knowledge, and to the best of the knowledge of the legal experts who were accompanying both delegations, it is good. It is something within their jurisdiction. Beyond that I cannot go. The hon. member knows that it is not only with respect to oleomargarine that the courts have found that after a long period something that was looked upon as valid law was not so. Perhaps he remembers what happened to the

so-called Lemieux act dealing with industrial disputes. It had been applied for a good many years in a manner which the Canadian public thought was satisfactory, and all at once the privy council said that those who passed that law went beyond their jurisdiction and it was not binding on anybody.

**Mr. Timmins:** Will the Prime Minister make a short statement in respect to the meaning of this particular section, having regard to the following subsection:

(1) Subject to these terms, all laws enforced in Newfoundland at or immediately prior to the date of union shall continue therein as if the union had not been made . . .

(2) Statutes of the parliament of Canada in force at the date of union, or any part thereof, shall come into force in the province of Newfoundland on a day or days to be fixed . . .

I presume that means that the criminal law of Canada will probably come into force immediately after the passing of the act of union. I should like to know whether the criminal law of Canada will immediately supersede the criminal law of Newfoundland, or just what the situation is to be.

**Mr. St. Laurent:** No, Mr. Chairman. This section was drawn precisely for the purpose of not having the criminal law, among others, come into force immediately, because we were informed that it would be embarrassing to administer the criminal law of Canada until arrangements had been made to provide the proper machinery, and that therefore it would be preferable to have a provision that these general laws of Canada could from time to time be put into force in the province as machinery to administer them had been previously provided; and that pending that time the laws in force at the time of union would continue.

In Quebec at the present time there is a civil code which came into force in 1866, and which contains provisions that the parliament of Canada would have the right to amend or repeal. But it has not yet been seen fit to do that. The legislature of Quebec would not have the right to enact that kind of legislation, but it does apply as a part of the legislation of Quebec until such time as parliament sees fit to deal with it. It will be the same with respect to Newfoundland. They have a certain body of laws which will continue to be applied until by proclamation it is stated that the present laws of the dominion in that regard will be substituted for those that exist in the province. Of course it is not intended that it will take very long. It is intended to be merely a transitional measure to bring progressively into force those Canadian laws under conditions which will not prove to be embarrassing; and it is perhaps because there were on the delegation