

Smallwood by what means we could go about increasing the population of this country?

Mr. Smallwood I could give you an answer, but it might lead to bloodshed. Maybe the answer is in section 3 of the Grey Book, family allowances. I will drop the matter right now.

Mr. Hollett That is what you want?

Mr. Smallwood I was only joking.

Mr. Hollett This is no place for joking.

Mr. Smallwood Sometimes it is better to joke than get angry.

Mr. Hollett Perhaps that is good advice for some of us to take.

Mr. Miller When we were discussing what body would eventually approve the terms of agreement, if Newfoundland were to enter into confederation, Mr. Crummey gave an opinion. He was present at the meeting.

Mr. Chairman He quoted Mr. St. Laurent. He did not give an opinion.

Mr. Miller The thing is not cleared up. There is a disagreement between Mr. Crummey and Mr. Smallwood. We are in a disarming position, we cannot get an agreement between two members of the delegation. It is a matter of indifference to me who is right.

Mr. Chairman Are you asking me to make a decision on a matter in connection with which no records were kept?

Mr. Miller I was wondering if Mr. Smallwood would concede to Mr. Crummey, and say that Mr. Crummey was right.

Mr. Smallwood No.

Mr. Crummey Do you say I was wrong?

Mr. Smallwood Yes, indeed.

Mr. Crummey I was the one who asked the question, and I asked how to go about it and Mr. St. Laurent said that Commission of Government was the government today, and we will have to proceed through them; they would have to go to the Commission of Government and dicker with them.

Mr. Miller Anything that may follow may be ill-founded.

Mr. Chairman There is a disagreement. You must not draw conclusions, Mr. Miller, as to what may happen tomorrow or the next day.

Mr. Hollett As I see it, Mr. Crummey must be right, because Mr. St. Laurent sent these terms to the Commission of Government. Mr. St. Laurent

or Mr. King sent them to the Commission of Government.

Mr. Smallwood No, he did not.

Mr. Hollett It looks that way.

Mr. Chairman They were addressed to His Excellency the Governor. I remind you that under the Letters Patent, His Excellency occupies two offices — one as the King's representative, and the other as Chairman of the Commission of Government. They were addressed to the Governor of Newfoundland.

Mr. Smallwood Clause 2:¹ "The Province of Newfoundland will include the territory of Labrador defined by the award of the Judicial Committee of the Privy Council in 1927 as Newfoundland territory." This Convention knows and this country knows that Labrador was awarded, defined, laid down and declared in 1927 by the Judicial Committee of the Privy Council to be Newfoundland territory. This clause says that that territory defined, described by the Privy Council as Newfoundland territory shall be included. "The Province of Newfoundland shall include..."

Mr. Hollett No, it does not say that. It says "will" not "shall". Two different words. "Shall" is mandatory; "will" is not.

Mr. Chairman I have to uphold you in this connection. The proper expression to be used is "will", as the expression "shall" implies that the Canadian administration would order Newfoundland-Labrador to be a part of the Newfoundland province. In point of fact, it is...

Mr. Hollett I ask why that statement is there at all?

Mr. Smallwood To resolve any doubt. To make the position beyond all doubt.

Mr. Hollett What has Canada got to do with it?

Mr. Smallwood It has everything to do with it, if we are a province. Remember this, these words, if we became a province, would be enacted as a law; and the word "will" would become "shall".

Mr. Hollett This is not a law.

Mr. Smallwood It is not a law until it becomes a law. That can be done by the Parliament of Great Britain.

Mr. Chairman It is merely a proposal. This is not a legislation.

Mr. Hollett Mr. Smallwood kept repeating the word "shall".

¹Volume II:511.