

explain some clause which may be read. I understood you were to give a brief explanation and sit down; that questions would be addressed to you; in the course of your replies, if and when it became necessary, you would refer to the Black Books as independent corroboration of the explanation you would give. If my interpretation of your remarks is correct, I think you are premature in referring to the Black Books at this time.

Mr. Smallwood We are at clause 1. In this document there are 23 clauses. We are at the shortest one of them all. It might be very useful if we determine in advance that very point. A clause is given. An explanation of that clause is contained in the Black Books — that is, the report brought back by the delegation. There is no suggestion that we take up those two thundering great volumes, begin at the first page and read through to the end.... The background of the Grey Book is in the Black Book. The Black Book explains the Grey Book. What is the use of telling the people of Newfoundland that "Newfoundland will have, as from the date of union, the status of a province" if you do not explain what is the status of a province?

Mr. Chairman Are you not anticipating the position? If, as Mr. Higgins contends, the clause is unambiguous and unequivocal, and is generally understood, then we must credit the people with at least as much intelligence as we have.

Mr. Smallwood As much intelligence, but with as much information?

Mr. Chairman If the clause or any phrase of the clause is ambiguous, then that will be a matter for question; and in reply to any questions, then of course you should be at liberty to then refer to the Black Books. I think you should, in conformity with the position as I understand it, and as I must assume the House understands it, content yourself with reading the clause, then give your explanation or interpretation of the clause. If any questions arise out of that, or if your interpretation is questioned, then and only then may you refer to the Black Books.

Mr. Smallwood Does that mean that unless some member of the Convention happens to ask a question, the answer to which can only be found in the Black Books, I may not refer to the Black Books? In that case we might as well take these and throw them out the window. Are the people not to get the information in this report? This is a

report of the Ottawa delegation.

Mr. Chairman That is for members to decide. If they want to get the information before the people; if they have any doubt about the ability of the people outside to understand any of these documents or the nature or construction of any of these clauses, then it is not only their right but it is also their duty to make sure that they are understood.

Mr. Smallwood Am I a member of this Convention?

Mr. Chairman Yes.

Mr. Smallwood Then I have that right?

Mr. Chairman To address a question to yourself?

Mr. Smallwood Not to address a question to myself, but to convey the information to the people on the matter we are now debating. I am an elected member.

Mr. Chairman You have the right to read the clause, then you have the right to give an interpretation of the clause. If that brief explanation is not challenged, that is enough. You will be reading the clause; there may be cases where you can summarise your report and give your interpretation of it.

Mr. Smallwood There may be occasions when I can summarise and other occasions when I will have to read the actual words. May I say this? I am eager to do only one thing, to have the people of Newfoundland understand it; they are entitled to that much.... They are the ones who have to vote next spring. They have to understand it. Any explanation that is going to enable them to understand it, surely they are entitled to that explanation.

Mr. Chairman Then if this House, by a rule of procedure, comes between the people and the understanding to which you say they are entitled, the responsibility is the Convention's, not mine.

Mr. Higgins The first clause of this document is very clear.

Mr. Chairman To you, perhaps, Mr. Higgins; but it may not be to others.

Mr. Higgins We have to give the people some credit for having intelligence.

Mr. Chairman On the other hand, we cannot assume they are all King's Counsel, like the distinguished member for St. John's East.

[Applause from gallery]

Mr. Higgins Thank you for that remark. I might