

**Report of the Committee on Rules and Procedure:¹
Committee of the Whole**

Mr. Bradley I would like to say that it was very fortunate that Mr. Miller raised some question in connection with section 39. Immediately on adjournment yesterday afternoon, the committee met in the Council Chamber and considered the matter at length.... The question had reference to the fact that this Convention may have to consider, not merely two alternatives, but one of several types of governments, and that we might find that the type of government which had the greatest number of votes, by no means had a majority; and that being the case, it might be that those members who had voted for a certain form, might on second choice have preference for some alternative which, joined with other votes, might better express the voices and plurality be obtained. The first thing I have to observe is that this Convention decides nothing. We want to get that very clear in our motion. We decide nothing. We can only decide to recommend something; but any recommendation must not necessarily be adopted by the British government. So we make no unalterable decisions. In the next place you will not be asked to decide on any particular form of government, you are not voting for a particular type of government here, the thing to do is to vote that a type or types of government be put on the ballot paper. You will not be asked to choose between two, three or four forms of government. That is not the procedure, but each type of government under consideration will, when duly moved, and seconded, be put to the Convention by the Chairman and will require a majority vote of this Convention to put that type or particular form in our recommendations. That being done, some other member of the Convention may, and probably will, propose that some other form be put on the ballot paper and that will be submitted to the vote, and it will require a majority to be put in the recommendations, and so on, and in each case, no member who votes for one is precluded from voting for the other. It is possible we might move that they should all go on. It was not the intention of the committee to deprive the members of the Convention of the right to speak or to cast their vote. The idea is that whatever

preferences a member has should go to the Dominions Office, so that the imperial government would have an opportunity of knowing what each member of the Convention thought; whether he voted with the majority or against it, he still has the right to write out what he thinks of everything — what his preferences are and his reason for it. In fact, this rule, instead of restricting the members, gives them rights which they would not otherwise have.

Mr. Jackman I do not agree with the terms of reference in regard to the form of government. The form of government was made not in 1932, it was made in 1855 and that decision was never rescinded by the people of Newfoundland. The question was never put to a vote when we lost our democratic rights. Therefore, in my opinion, in regards to terms of reference for future forms of government, it should be strictly boiled down to the present system and responsible government. I have been informed by different people, lawyers, etc., that this form of government is constitutional. I am not a lawyer, and I don't know very much about law, but I cannot see or figure out how we could discuss any forms of government other than responsible government and Commission of Government. For this reason, sir, when we lost our constitutional rights, I am pretty certain that at that time the matter was set forth this way to the people — that when Newfoundland became self-supporting, and when Newfoundlanders asked for the return of their government, that would be the end of it. As far as I can see, we may discuss federation, representative government, etc., but there are really only two things we can discuss, namely Commission of Government or responsible government. I don't know who is responsible for this, but if I am in order I beg to move that responsible government and Commission of Government be the only two issues.

Mr. Chairman Gentlemen, this Convention is bound by the terms of the statute which called it into existence, namely, the National Convention Act², and under that act the duty of the Convention is to consider the financial situation of the

¹Volume II:53.

²Volume II:1.