

*[The committee rose and reported progress, and the Convention adjourned]*

**January 9, 1948**

Mr. Smallwood I would like to say that it is my intention to reply to the speech of Major Cashin and, in all probability to other speeches which may be made on these terms. But, sir, just when I should do it is a matter that has given me a considerable amount of concern in the last day or two because I happen to be very anxious, very eager, that the Convention should finish its work by the end of January, so that the referendum can be held this spring. For that reason, if I were to reply to the lengthy speech of Major Cashin and to speeches made by other members of the Convention, each one as it is made, it would take a considerable amount of time and might prolong the Convention beyond the end of January. I do not want to take that risk.... What I would like to feel a little confident about is this: after Major Cashin has completed his speech, and if some other members speak attacking or criticising or analysing these terms of confederation, I would like to feel confident that I will have the opportunity of replying to them. What I am trying to avoid is this: one man after the other attacks the confederation terms, criticises them, analyses them unfavourably; and then, before I have had the opportunity of replying, a closure motion could be put and adopted which would strangle any opportunity I would have of replying to these criticisms. I want very anxiously to avoid delay. I want to get out of this Convention by the end of January. I would like to see the referendum held this spring. But I do not want to be deprived of the chance to reply. I can be deprived by the simple means of a closure motion.... I think that the gentlemen who are critical of these confederation terms and who express their criticisms will be gentlemen enough not to bring in that closure motion and choke me off.... I put my trust in them. I put myself at the mercy of their sense of justice and fair play. After they have rapped the confederation terms, I will be given full, free and ample opportunity to reply with the freedom of debate in committee of the whole. With that understanding, I do not propose to reply to Major Cashin when he completes his speech, but rather to wait until he and others have completed their

speeches, and then reply to the lot of them in one speech. With these few remarks I move the motion on the order paper.

**Mr. Chairman** Before I put that motion ... I want to say that I can give no guarantee that you will be permitted to speak at any given time; nor can I give any guarantee to any member that he will be able to speak to any motion at any time.... I have no authority to decide the number of times any member will speak in committee or the length of time he will speak on any subject before the Chair, as long as he confines himself strictly and in a proper manner to the business before the Chair. Therefore, if a closure motion is put to me, I will have to accept a closure motion at any time; with this qualification, that I will not accept a closure motion without notice.... And what the Chair has to keep in mind, in a closure motion, is to make sure that the rights of the minority or the rights of members who have not had the opportunity to express themselves fully, or at all, upon the business before the Chair shall not be abridged or taken away by the prompt putting and carrying of a closure motion. To put it simply, I am not prepared to guarantee to you, Mr. Smallwood, or to any other member here, that he will be permitted to address the Chair, if you will, at 3 pm next Wednesday on a certain subject. How can I?....

**Mr. Hollett** In view of the statement made by Mr. Smallwood, which I suppose is official in character, that this Convention has to conclude its work by the end of January if we were to have the referendum this spring....

**Mr. Smallwood** That is not official.

**Mr. Cashin** It will be, when I read my reply.

**Mr. Chairman** I do not know whether it is official or not.

**Mr. Hollett** Why all this talk about closure if it is not official? If it is official, I want to make a motion right now. If the referendum is to be held in the spring, then I am prepared to give notice of motion right now. We have only a few days left.

**Mr. Chairman** There is a motion before the Chair. Notice can be given when I leave the chair of committee and resume the Chair.