

who have not been able to address themselves on the question, by and with the permission of the house, if I get a quorum, it will be my endeavour

to go ahead tomorrow night....

[*The Convention adjourned*]

January 14, 1948

Mr. Chairman Order, please. Major Cashin?

Mr. Cashin Mr. Chairman, we are getting up towards the end of our business, and in order to properly facilitate it, I move that as the first order of the day the Report of the Finance Committee be received and adopted.

Mr. Chairman The motion is that the Report of the Finance Committee on the Economic Report be received and adopted. Is the Convention ready for the question?

[*The motion carried.*]

[*Mr. Cashin complained he had not yet received a reply to questions concerning the Savings Bank's position under confederation, and the Bank of Canada.*]

Mr. Fudge read a reply to a question on the sale of Labrador, which indicated that this was not under consideration.

Mr. Fogwill In answer to a question which I tabled on November 21, I have had a reply quite a while now, but I have not read it because half the reply is not yet completed:

I give notice that I will on tomorrow ask His Excellency the Governor in Commission the following questions:

1. What pension (superannuation) rights have the employees of the Newfoundland Railway acquired under Newfoundland law?
2. In the event of the Newfoundland Railway being taken over and operated by the Canadian National Railways, who will be liable for the payment of pensions payable to employees of the Newfoundland Railway presently retired and receiving pensions?

And I got the following answer, sir:

Commission of Government
Newfoundland

St. John's,
Newfoundland,
Dec. 2, 1947.

Dear Sir:

In reply to question No. 1 submitted by Mr. F.D. Fogwill, and forwarded to me with your letter of November 24, 1947, the reply is that employees of the Newfoundland Railway have no statutory rights to pensions.

Annual allowances calculated on the basis established by the Civil Service Act, 1926, as amended, are allowed *ex gratia* to railway employees on retirement in accordance with the terms of a Minute of Commission of 1934.

With regard to question No. 2 submitted by Mr. Fogwill, as it is addressed to His Majesty's Government in the Dominion of Canada, enquiries are being made as to whether that government would be prepared to accept and deal with it.

Yours faithfully,

W.J. Carew

Secretary.

Capt. W.G. Warren, R.A.,
Secretary, National Convention,
St. John's.

Mr. Higgins Mr. Chairman, on behalf of Mr. Hollett I beg to move the following resolution:

I move that immediately before the order of the day is called on Wednesday the 14th day of January, 1948, on resuming the debate on the motion, that the Convention resolve itself into a committee of the whole to further consider and discuss the proposals received on November 6 from the Right Honourable the Prime Minister of Canada, and the said debate shall not be further adjourned.

Mr. Chairman Mr. Higgins, while I am not rejecting the motion, my feeling is that, being a closure motion, it should be deferred; that is to say, that I should defer receiving and putting the motion at the present time. As you, Mr. Higgins, particularly, and perhaps members generally will be aware, there is not, nor has there ever been, strangely enough, any statute covering closure in Newfoundland. Now, standing order 54 reads as follows: "Whenever any matter arises in the course of the proceedings of the Convention ... which, in the opinion of the Chairman, is not covered by these Standing Orders, reference shall be made to the rules and orders of the House of Assembly in Newfoundland, and the matter decided in accordance with these rules, save that where the said rules are silent upon the matter the