

applicants in Canada totalled 135,000. The latest available figures are up to December 18, 1947. They show an increase of 29,000 since November 13, 1947. This 135,000 unemployed merely represents the number who have actually registered at unemployment offices. How many more there are unregistered is unknown.

There are some statements made by Mr. Smallwood when we debated this matter in committee of the whole that I want to draw your attention to. In replying to Mr. Northcott, who asked him what the position would be in respect to divorce in the event of Newfoundland's entering union with Canada, Mr. Smallwood stated:¹

....I am going to say something about divorce in case we become a province of Canada. Sir, we have no divorce laws in Newfoundland. We never did, and I hope we never will. Those provinces of Canada that are in union now, some of them had divorce laws, before confederation was started in 1867. They took their own laws into the union with them.... I don't think that any other province since then has passed a divorce law of its own. If Newfoundland goes into confederation, I would give it as my opinion that it is ... highly unlikely that our House of Assembly ... will pass a divorce law.... If Mr. Northcott was a member of the provincial House of Assembly, I don't think he will vote for it ... I don't think Mr. Starkes, Mr. Vincent ... or Mr. Jackman or any of us ... here will ever vote to pass a divorce law. That's very unlikely.

I say to you that by these words Mr. Smallwood was making a deliberate attempt to deceive the members of this Convention and possibly the people of this country. He attempted to convey the idea that in the event of federal union it was a matter for the parliament of the province whether a divorce law was passed and divorce courts set up here.

That is definitely untrue, and Mr. Smallwood when making the statement knew it was untrue. The fact is that in the event of union, the matter of divorce is taken out of the hands of the parliament of Newfoundland. The parliament of Newfoundland would have no power to either set up divorce courts or to prevent them from being set up. That is a matter solely and entirely within the province of the federal government. I would refer

you to the British North American Act and to your Black Book with respect to this matter. Then again in the course of his reply to Mr. Northcott, Mr. Smallwood said, "Mind you, there are only two grounds for divorce in Canada — adultery and desertion." That is definitely untrue and Mr. Smallwood knew at the time he made the statement that it was untrue. I would refer you again to your Black Book on this matter. Mr. Smallwood is always bragging about his wonderful memory, so what are we to understand by these mis-statements? I would suggest to you quite definitely that they are deliberately misleading.

I have pointed out to you the definite fact that in the event of federal union with Canada, the sole right and authority to pass a divorce law and to set up divorce courts in Newfoundland rests with the federal government at Ottawa and with that government alone. With union between the two countries the provincial legislature of Newfoundland would have *no* discretion to say "yes" or "no" in this matter. Unless a provision was included in the terms of union, clearly stating that the federal parliament at Ottawa would forego for all time the right to legislate for divorce in Newfoundland and undertake to have the British North America Act amended accordingly, then without such provision, such terms would be unacceptable to the Catholic people of Newfoundland. As no such provision is made in the proposals received from the Right Honourable the Prime Minister of Canada, I must advise you, Mr. Chairman, that the proposals *cannot be accepted* by our Catholic people.

Mr. Smallwood, during that same debate, stated that I said, "Yes, the terms appear to be fair but an elected government could get better terms." That is not exactly what I said; however, he then went on to explain what wonderful men the Ottawa delegation were, and having described those having confederate views in the delegation in somewhat glowing terms as to their personal accomplishments, stated:

... There you have the Ottawa delegation and in intelligence, ability, integrity, ... [they] would be the equal of any delegation that a government would send up there. They were absolutely as competent to ascertain the terms of union as any cabinet committee or delegation. We got the very best terms that

¹ Above, p. 1182.