

Newfoundland

Mr. Mackenzie King: If I may interrupt my hon. friend on the essential point of what he is discussing, is it not that the matter he refers to was one which belonged to the provinces and could not be dealt with by the federal government without agreement by the provinces?

Mr. Drew: Yes, but I think perhaps the right hon. member for Glengarry may not have been here when I pointed out that there is nothing in the British North America Act which draws a distinction between those cases where the interests of the provinces are involved and where they are not, where it is within the exclusive jurisdiction and where it may not be. Never yet has there been any settlement as to where the borderline is; and one of the things under consideration for some time, which was actually discussed at the meetings of the dominion-provincial conference which began here in Ottawa on August 6, 1945, was the desirability of establishing a clear division of responsibility, a clear division of legislative and administrative authority, and also finding a way in which we could actually deal with our own constitution without any uncertainty as to how it was to be done.

In this case we have before us a matter that does involve an amendment to the British North America Act. Any suggestion that it does not involve such an amendment has been disposed of by certain statements made by hon. members on the opposite side.

Mr. St. Laurent: I am sorry to have to intervene, Mr. Speaker, but on a point of order I think I owe it to the house, having the responsibility of leadership in the house, to point out that it is the rule that a matter which has been decided by the house cannot be debated again during the same session. The question whether or not the provinces should be consulted in respect of this matter was debated during two days and was determined yesterday by a rather decisive vote. Though it is always most interesting to hear the leader of the opposition (Mr. Drew) on these matters, I do not think it is in order to hear him again on the matter which was decided last evening.

Some hon. Members: Question.

Mr. Drew: Mr. Speaker, I am not going to debate the point that has been raised. I am speaking on the motion, and I will be happy to furnish the Prime Minister (Mr. St. Laurent) with the best authority I have seen on the right of an hon. member to debate a motion of this kind, since the matter was in fact discussed by Sir Wilfrid Laurier and is provided for in the rules of this house. But

[Mr. Drew.]

I am not going to argue the point because I want to proceed with the main motion, following the remarks I have made.

Mr. St. Laurent: I am not challenging the right of the hon. gentleman to debate the motion that the question be now put. I am challenging the right of the hon. member, in debating that motion, to raise issues that were decided by the vote of last evening.

Mr. Drew: I have no intention of debating the point raised by the Prime Minister because, very conveniently, he raised the point exactly at the time I had finished my remarks in that respect.

Mr. St. Laurent: I should like a ruling on my point of order.

Mr. Deputy Speaker: The Prime Minister has brought to my attention the fact that last evening the question whether this matter should be referred to the provinces was decided. In view of that, under the rules of the house that point is not again debatable.

Mr. Drew: As I indicated, Mr. Speaker, I intend to proceed with a discussion of the remarks that have been made and of the main motion.

Mr. Fournier (Hull): You have spoken already on the main motion.

Mr. Drew: Or rather with the motion with which we are dealing.

Some hon. Members: Question.

Mr. Deputy Speaker: Order. Under the rules of the house an hon. member who has already spoken on the main motion may speak on the motion now before the house.

Mr. Drew: As was indicated earlier, and as I have already indicated this afternoon, there is almost complete if not complete unanimity in the desire to bring Newfoundland into Canada under terms that will be acceptable to that country and that will maintain harmony and good will in that new part of Canada in the years that lie ahead. As has been pointed out on many occasions however, we in this house have a responsibility to make sure that the course we follow is in keeping with our own practice and our own constitution, and that it produces no precedents which may endanger the sanctity of that constitution; and also that we do nothing to weaken respect for our constitution on the part of those whom we intend to welcome as members of the Canadian federation. I have already quoted the words of the right hon. member for Glengarry (Mr. Mackenzie King)—

Some hon. Members: Order.