

*Newfoundland*

Newfoundlanders to representation in a democratically elected body prior to union. I am just as concerned about their representation after union comes about, presumably on March 31 next. Article 4 of the terms of union provides that the province of Newfoundland shall be entitled to be represented in the Senate by six members and in the House of Commons by seven members. Then article 6 (2) provides:

For the first election of members to serve in the House of Commons, if held otherwise than as part of a general election, the governor general in council may cause writs to be issued and may fix the day upon which the polls shall be held, and, subject to the foregoing, the laws of Canada relating to by-elections shall apply to an election held pursuant to any writ issued under this term.

I take it that once union becomes a fact there will be no delay in the appointment of the six senators. Patents can be issued, and they can take their places in the Senate very quickly. But I am concerned about the time within which Newfoundland will obtain representation in the House of Commons, through the election to this chamber of seven representatives. In the terms of union there is no time limit within which this election is to take place. I mention that fact because there is an interesting comparison in article 16, where you find a time limit imposed by the terms of union upon the election of a legislature for the province. That article reads:

The legislature of the province of Newfoundland shall be called together not later than four months after the date of union.

There is no similar time limit with respect to the election of the seven members of the House of Commons. Once union becomes a fact, presumably this parliament will proceed at once to enact legislation which will be as binding upon Newfoundland as upon any other part of Canada. In particular, taxation will be imposed upon Newfoundland just as upon any other part of Canada; and as this parliament proceeds to impose such taxation while there are no members from the province of Newfoundland holding seats in this house, we shall be in the position that parliament will levy taxation without representation, something I hope every one of us will view with the greatest apprehension.

I do not know whether we may expect a general election this spring. That possibility is at least contemplated in article 6(2). But unless we are to have some assurance that there will be a general election this spring I think the house is not only entitled to but should require an assurance from the government that, immediately union becomes effective, writs will be issued for the holding of elections in these seven constituencies in the province of Newfoundland, so that province

may have representation in this house just as quickly as the law will permit.

**Mr. Jaenicke:** The question I should like to raise is somewhat different. Not long ago we amended the British North America Act, and the representation in parliament was fixed at 255. This amendment was brought about by an address to His Majesty. As I read this section, the number of members of parliament is now to be increased by seven. Therefore this will be contrary to the provisions of the British North America Act. Is it the intention of the government to present another address to His Majesty to increase the representation, or will the British legislation provide for that increase? The same thing also would apply to the number of senators.

**Mr. St. Laurent:** The British North America Act provides that, in the event of Newfoundland becoming a province of Canada, it would be entitled to six senators. In 1867 the act provided for four senators, but by virtue of an amendment which was made, I think in 1915, it was provided that the number would be six instead of four. This provision has existed in the British North America Act for over thirty years.

With respect to representation in the House of Commons, if and when the terms of union are ratified here and approved by the parliament of the United Kingdom, provision will automatically be made for seven members additional to the representation in the house. In the omnibus bill which was read for the first time yesterday, hon. members will find provision is made for the required amendments in the Representation Act to refer to Newfoundland and to refer in the schedule to the electoral divisions of Newfoundland.

In answer to the question of the hon. member for Eglinton (Mr. Fleming), I may say that this parliament has decided what provisions will apply to elections required to provide representation for all parts of Canada. As soon as the existence of a vacancy is brought to his notice, the Speaker is required to notify the chief electoral officer. It is a statutory provision of the Dominion Elections Act that writs for the filling of that vacancy must be issued within six months.

**Mr. Jaenicke:** I should like to ask the Prime Minister whether the procedure he outlined would not be a departure from the established precedent concerning the manner in which the British North America Act is amended? In my opinion it can only be done by an address to His Majesty, and the parliament of the United Kingdom would have to pass a special act in order to amend the British North America Act, or to change the representation in the House of Commons.