

*Newfoundland*

degree of democracy should be used in the circumstances. I believe that the procedure followed, namely a referendum vote of the people of Newfoundland, was a democratic one. There may be a difference of opinion in Newfoundland between those who wanted responsible government and those who wanted confederation, but I do not believe that the best way to smooth out those differences of opinion, and put an end to any bad feeling that may still exist, is to keep harping on it in this house. Let us get ahead with the terms of confederation as quickly as possible, and when we bring Newfoundland into confederation with the rest of Canada I hope that neither they nor we will ever regret it.

(Translation):

**Mr. Dorion:** Mr. Speaker, the bill now under consideration will undoubtedly assume considerable importance in the annals of this country. I therefore feel it only proper that, upon the entry of the new province into confederation, a small part at least of the debate in the house be carried out in French, so that our future fellow citizens may remember that Canada has two official languages.

The few comments I wish to make in connection with the preamble of this bill are as follows:

Following the statements made by the hon. member for Lake Centre (Mr. Diefenbaker), I must first agree with the view he has expressed, and maintain that, in so far as the entry of Newfoundland into confederation is concerned, we should have been governed by the stipulations not of an ordinary statute, but of that basic, fundamental law which governed the birth of Canada, the British North America Act. As we all know, section 146 of the act provides for the entry of Newfoundland into confederation. It is probably expedient to recall it.

It shall be lawful for the queen, by and with the advice of Her Majesty's most honourable privy council, on addresses from the houses of parliament of Canada, and from the houses of the respective legislatures of the colonies or provinces of Newfoundland, Prince Edward Island, and British Columbia, to admit those colonies or provinces, or any of them, into the union, etc.

I must point out, Mr. Speaker, that this has already been done. Indeed, when British Columbia joined confederation in 1871, the process followed was that provided in the British North America Act. The preamble of the order of Her Majesty in council, dated May 16, 1871, states unequivocally:

And whereas by addresses from the houses of the parliament of Canada, and from the legislative council of British Columbia respectively, of which add-

resses copies are contained in the schedule of this order annexed, Her Majesty was prayed, by and with the advice of her most honourable privy council, under the one hundred and forty-sixth section of the hereinbefore recited act, to admit British Columbia into the dominion of Canada, on the terms and conditions set forth in the said addresses.

And later when Prince Edward Island joined confederation, the British North America Act was once more complied with. The procedure followed was that which is outlined in section 146. The preamble to the order in council dated June 26, 1873, reads as follows:

And whereas by addresses from the houses of the parliament of Canada, and from the legislative council and house of assembly of Prince Edward Island respectively, of which addresses copies are contained in the schedule to this order annexed, Her Majesty was prayed, by and with the advice of her most honourable privy council, under the one hundred and forty-sixth section of the hereinbefore recited act, to admit Prince Edward Island into the dominion of Canada, on the terms and conditions set forth in the said addresses.

In my opinion, Mr. Speaker, the new bill before the house is a further departure from the provisions of the British North America Act and I take the liberty of drawing the attention of hon. members to that fact. When one is aware of the present government's ideas on centralization, this breach assumes a great deal of importance. Not only do the government deliberately overrule a section of the British North America Act, but they disregard explicit undertakings agreed upon since 1934 with the people of Newfoundland. In November 1933 Newfoundland's legislative assembly requested the suspension of its letters patent, and the said act was ratified by the British parliament. The act passed by the assembly of Newfoundland included the following proviso:

Be it agreed that as soon as the island's difficulties have been resolved and the country is again self-supporting, responsible government shall be restored to the people's request.

When the British parliament ratified the act, it was decided as follows:

Whereas we are in receipt of an address from the legislative council and the house of the said island asking that we be graciously pleased to suspend the said letters patent and to issue new ones providing for the administration of the said island until it again becomes self-supporting, on the basis of the recommendations contained in the report of the royal commission which was appointed by us on the 17th day of February, 1933 . . .

A little later, in 1941 or thereabouts, Newfoundland's economic situation having improved considerably, the island people approached the British parliament with a view to restoring responsible government. At that time, on December 2, 1943, Mr. Emrys-Evans,