

say that there is an undue amount of applause, and the applause is not altogether fitting.

**Mr. Chairman** We are labouring under a very heavy strain here and it is anything but humorous or funny. I would request you, please, to refrain from any exhibition of satisfaction or dissatisfaction with remarks expressed by any member or by the Chair.

**Mr. Hollett** I am perturbed by the actions in that gallery, so much so that I am suspicious about its make-up. I want to ask, if these exhibitions are to take place, has any member the right to ask that the gallery be cleared?

**Mr. Chairman** As long as I am in this Chair, I am going to maintain order, not only as far as members are concerned, but also as far as the public is concerned. I am going to maintain order, if I have to send for the riot squad; and I will send for them in a hurry. I want no more demonstrations from the gallery.

I do not want it to be unfairly alleged against me that I am coming between the Convention and the people in the receipt of information concerning the work of this Convention. But I will have to remind you, Mr. Smallwood, the manner in which information is disseminated must depend, in the first instance, according to the explanation given by you yourself.... Let me also suggest that whether the explanation as given by you is universally accepted by the house, or whether it is taken from the Black Books and accepted by the house, the fact is that whichever *modus operandi* is employed, the country has the advantage of having you read the clause and give an explanation. I do not feel that reverting to the Black Books is necessary to explain the context or meaning of any clause, unless your interpretation of that clause is challenged, in which event you could revert to these books.

[Short recess]

**Mr. Smallwood** We are still at clause no. 1. I do not know if any member has any questions or any observations. I will wait a moment and, if not, we will pass on to clause 2.

**Mr. Penney** We have not all got our books with us. We did not expect this discussion of confederation tonight.

**Mr. Chairman** It is on the order paper...

**Mr. Hollett** One question I would like to ask in reference to speeches which were made by the chairman of the delegation, and also the speech

of Mr. King. After stating that the matter is one for the Newfoundland people to decide, Mr. King goes on to say, "On the part of Canada, no final decision would, of course, be taken without the approval of Parliament". I would like to ask Mr. Smallwood, what body makes the final decision with regard to Newfoundland? In Canada no final decision would, of course, be made without the approval of Parliament, but assuming that the people of Newfoundland vote for confederation at the referendum, who makes the agreement with the Government of Canada?

**Mr. Smallwood** Let me repeat the question, if I may. "In the case of Canada, the decision to receive Newfoundland as a province is made by the elected Parliament of Canada. In the case of Newfoundland, who makes the decision that Newfoundland become a province?" The answer is, the decision to have Newfoundland become a province or not is a decision to be made, if it is made at all, by the people of Newfoundland in the referendum. I am sure Mr. Hollett will agree that in Newfoundland we have various institutions — magistrates' courts, Commission of Government, National Convention, etc. Over and above all these institutions are the people. They are supreme and they are sovereign. You cannot go higher than the people. In deciding what form of government we shall have, they are the last word of all. If anyone decides, the people of Newfoundland will decide that Newfoundland shall become a province, or Newfoundland shall not become a province.

**Mr. Hollett** Mr. Smallwood has missed the point. I am aware that the people of any country are the people to decide the approved policy. Assuming the people of Newfoundland decided by referendum that they would like to go into union with Canada under proper terms, I am asking what body in Newfoundland ... would approve any terms of agreement which may be drawn up between the two countries?

**Mr. Smallwood** That is a very good question. Let us look at it. If we were a self-governing country, we have a House of Assembly, made up of government and opposition...

**Mr. Hollett** We have not got that. We all know that.

**Mr. Smallwood** It is worth explaining. If we had our own legislature, as we had up to 1934, the position would be this: that to the King or to the