

authority." Who is that going to be?

**Mr. Smallwood** How could the Government of Canada say that?... That's for us to determine, not them. They can't name the authority.

**Mr. Cashin** Well, who are we going to name? That's up to the future government.

**Mr. Smallwood** The government that you and I are going to be in next year together.

**Mr. Cashin** You mean the provincial government.

**Mr. Chairman** The constitution of courts both civil and criminal, and the regulation of civil procedure is a matter entirely for the province, but the matter of criminal law, which is reflected in the criminal code of Canada is decided by the federal government.

**Mr. Cashin** I must apologise, Mr. Chairman. I was not here the first couple of days that this thing was being discussed, but assuming that tomorrow Newfoundland voted to go into confederation who is going to finalise that deal?

**Mr. Smallwood** We mean to do that.

**Mr. Cashin** Who is going to finalise it, is it the British government, or who is it? I want to know.

**Mr. Smallwood** I am itching to answer that, but I won't. It is getting a little late, and we have another clause. We have to go back to veterans and merchant seamen, you see, and we should finish that, it is only a matter of reading it. But this matter that Major Cashin raises did come up and we had quite a little discussion on it here on the second or third day. He was not in the House. I would suggest that he hold that over until we come to it. We will come back to it again. It is a very interesting subject and quite important, and we should come back to it again.

**Mr. Jackman** Would the Quebec fishermen be permitted to fish on the French Shore or Labrador?

**Mr. Smallwood** That is a matter for future decision. Immigration is concurrent. Both the federal government and each provincial government has ideas on that. We would be a province, with a provincial government. That provincial government would have authority for that.

**Mr. Fudge** Getting back to those contracts which Mr. Smallwood refers to, namely Bowaters, which he claims pays \$150,000 a year in taxes, which is correct we are told. This will not be changed. I presume that many other contracts that exist at the present time, if we should

go into confederation, will also not be changed. That is what I understood him to say. Then isn't it reasonable to assume that the contracts made on behalf of the British government and the Americans in connection with their bases will remain also?

**Mr. Chairman** You are getting into very deep water there, Mr. Fudge.

**Mr. Fudge** Well, if one is a contract so is the other.

**Mr. Chairman** It all depends, I don't want to express an opinion on that.

**Mr. Hollett** I did not hear quite what Mr. Fudge said. I gathered it was something about the bases deal. Is that right?

**Mr. Fudge** ...Mr. Smallwood tells us the Bowater contract would remain the same if we went into confederation, and the point I raised was that I presume the contracts made between the British government for the base deals with the United States would remain also. It's a contract.

**Mr. Hollett** That is a very important point, and one I was going to raise myself.

**Mr. Chairman** For whom? You are raising the point to be dealt with by whom?

**Mr. Hollett** The point is this: the British government signed a contract.

**Mr. Chairman** I am not interested in that at all. It is not competent for this House to even deal with it. The whole thing is *ultra vires*, and I don't want to hear anything about it.

**Mr. Hollett** Mr. Chairman, I shall mention something which is not *ultra vires*, which is a letter written by Winston Churchill in which he stated...

**Mr. Chairman** In connection with what?

**Mr. Hollett** With parts of this country.

**Mr. Chairman** You are not to mention it.

**Mr. Hollett** But it is my country.

**Mr. Chairman** I am ruling on a point of law, and there is no appeal from this Chair on a point of law, and I rule that the terms of the Convention Act do not require us to go into that, and I defy anybody in this chamber or out of it, anybody in this country, to show me anything in section 3, which defines and sets forth your duty, which allows you to review these base deals. Show me how it becomes *intra vires* to this House, and I will allow you to go on with it.

**Mr. Hollett** I must take exception, if you don't mind.