

brador question. According to the calculations that have been made, Quebec has lost something like one-quarter of a billion dollars, if not more. Has Quebec made no claim for compensation for that loss?

Hon. Mr. DANDURAND: The Privy Council simply decided that the ownership of a certain area was vested in Newfoundland and it did not belong to Canada. No claim can be set up for compensation for a loss that has not been sustained. Canada laid claim to that area, but it was decided that Canada never had jurisdiction or authority over it, or proprietorship in it.

Hon. Mr. L'ESPERANCE: It was understood, at least, that Newfoundland claimed the coast, and especially the fisheries; but the judgment of the Privy Council went very much further and gave Newfoundland a tremendous territory that it never claimed. This additional territory, as I understand it, is extremely valuable. Men who are supposed to know have estimated its value at about one-quarter of a billion dollars. I was rather surprised, therefore, to hear the honourable leader say that Quebec was perfectly satisfied and was making no claim for the loss sustained.

Hon. Mr. DANDURAND: I did not say that Quebec was satisfied with the decision of the Privy Council, and I had not that decision in mind. I may inform my honourable friend that the contention of the parties related to the boundary line between Canada and Newfoundland, and to the Order in Council which granted the coast to Newfoundland, I think, in 1763. The Privy Council was asked to decide what the "coast" meant and how far it extended. Any layman, and probably most members of the legal profession who had not examined the question very seriously, would have thought that the "coast" did not comprise a very wide area; yet the Privy Council decided that the word "coast" meant all that part of the territory extending to the Height of Land. Newfoundland always claimed jurisdiction over a larger area than Canada admitted she was entitled to, and the Privy Council sustained the claim of Newfoundland. The effect of the decision was retroactive to 1763. It was simply a declaration as to where the line of division was to be drawn. It was an interpretation of the Order of the King in Council in England.

Hon. SMEATON WHITE: I think it is only fair to mention to my honourable friend (Hon. Mr. L'Espérance) that more than forty years ago, in explaining the boundary claimed by Newfoundland, the Rev. Moses Harvey,

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who lived in St. John's, Newfoundland, and who was very well known there as a student of history, submitted correspondence and a map to prove the claim made by Newfoundland at that time to the territory of Labrador. Of course we did not admit that claim. It is a remarkable coincidence, however, that the boundary shown in the map submitted about 1886 or 1887 was almost identical with that set out in the judgment rendered by the Privy Council.

Hon. Mr. BELCOURT: My honourable friend will permit me to add that the Labrador controversy was not between one province of the Dominion of Canada and another, but between two British Dominions, Canada and Newfoundland. This being so, the case is not parallel with the one with which we are now dealing. Assuming that Quebec did suffer a loss, it could not urge against Canada any claim, moral or other, for compensation for the loss of territory, because it was not Canada's fault that that territory was declared to belong to another country.

Hon. Mr. L'ESPERANCE: I am not imputing the fault to anybody, but the fact remains, and nobody can deny it, that through that judgment Quebec was deprived of territory.

Hon. Mr. DANDURAND: No. Quebec was not deprived of the territory; it was deprived of a claim to that territory.

Hon. Mr. L'ESPERANCE: At any rate I am informed by very prominent counsel that Newfoundland never contended for as much as was granted, and that Newfoundland was surprised at the judgment of the Privy Council giving that Dominion territory it had never claimed. Therefore it seems to me that Quebec was well within its rights in thinking—if I may put it this way—that to her belonged the territory given to Newfoundland, and that by reason of the loss she is poorer to-day by about 250,000,000. Whether it is the fault of someone in Canada or someone elsewhere is a question that I do not wish to argue. In view of the fact that Quebec is poorer by about one-quarter of a billion dollars, I am surprised to hear that Quebec declared, with Ontario, that she was perfectly satisfied.

Hon. Mr. DANDURAND: My honourable friend must not forget that the conference held in Ottawa took place prior to that judgment of the Privy Council; so the Government of Quebec could make no claim against the Federal Government as a result of that judgment. But I would emphasize the fact that the Privy Council declared that neither Quebec nor