

with in manner suggested. It is not thought that satisfactory conclusions can be reached either federally or provincially until a conference of the provinces and the dominion is held when full discussion may be had and matters properly debated. Other than stating that the right should be secured to amend our constitution in Canada this province respectfully declines to make submission to your committee, neither will it feel bound by any report which may be made by your committee. Signed by T. D. Pattullo."

In no case did the authorities of these provinces signify any desire to present their views to your committee, either in writing or orally.

The committee recognizes that there is a divergence of opinion with respect to the question of whether or not the British North America Act is a statutory recognition of a compact among the four original provinces of the Dominion and as to the necessity or otherwise of provincial concurrence in amendments. Without expressing any opinion upon that question, the Committee feels that in the present case and at the present time it is advisable in the interest of harmony and unity that there should be consultation with the provinces with respect to the adoption of a definite mode of amendment or the enactment of amending legislation which might seriously alter the legislative jurisdiction of the provinces and the dominion.

Many interesting suggestions were made. Dr. Kennedy, Professor of Law at Toronto University, suggested that a Royal Commission should be appointed to study the workings of the Act, with a view to recommending a rearrangement of powers if thought necessary.

Dr. Ollivier, Joint Law Clerk of the House of Commons suggested that:

- (a) Obsolete sections should be dropped;
- (b) Certain sections should be subject to amendment without consultation of the provinces;
- (c) Certain sections should be amended only with the concurrence of a majority of the provinces;
- (d) Certain sections might be amended with the consent of one province only;
- (e) Other sections should be amended only on consent of all the provinces.

Dr. Scott, Professor of Civil Law at McGill University, expressed the view that as the Dominion Parliament represented the population of the provinces, ordinary amendments should be made upon a majority vote of both Houses and amendments affecting minority rights should be approved in addition by all provincial legislatures, in order to become law.

Professor Rogers, Professor of Political Science at Queens University, suggested that a Dominion-Provincial Conference or a National Convention might appoint a committee to draft an amended constitution to be thereafter approved by the conference or convention and subsequently by the Dominion and provincial legislatures. He was of the opinion that the question of consulting the provinces was a matter of political expediency rather than one of legal right.

Dr. Beauchesne, K.C., C.M.G., LL.D., Clerk of the House of Commons, would have a new constitution drafted by a constituent assembly composed of delegates representing the various provinces and the Dominion, made up of all classes of people. The constitution so drafted would be thereafter adopted by the Dominion and the provinces, approved by the King, and the present act thereupon repealed.