

Mr. BENNETT: The letter of invitation covers it.

Mr. RALSTON: Yes; the letter of invitation provides that and points out this possibility of amendment of the British North America Act in regard to which all the apprehension exists. The conference was held for the purpose of clearing that situation. The view which one seems to gather from this combination of circumstances, namely, what was done at the imperial conference in 1930, suggesting that there should be a conference with the provinces; what was done when my right hon. friend came back and called a conference with the provinces; what was done with respect to the proposal that the provinces should have the right to repeal an imperial statute; and what appears in this recital, that all the provinces have consented thereto, which consent I am unable to find elsewhere in regard to previous amendments which have been made to the British North America Act—the view which one gathers from this combination of circumstances, I say, is opposed by the fact that the report of the conference of 1930 is very careful not to provide for the consent of the provinces, but only to give the provinces an opportunity to present their views. At page 18 the following appears:

Accordingly, it appeared necessary to provide for two things. In the first place it was necessary to provide an opportunity for His Majesty's government in Canada to take such action as might be appropriate to enable the provinces to present their views. In the second place it was necessary to provide for the extension of the sections of the proposed statute to Canada or for the exclusion of Canada from their operation after the provinces had been consulted.

But while this is the preamble—so to speak—when we come to the legal conditions which are to be complied with we find that the consent of the provinces is not mentioned nor are they necessarily to be consulted but that it is to be sufficient if the formalities required for amendments to the British North America Act are carried out. Note how the report proceeds:—

To this end it seemed desirable to place on record the view that the sections of the statute relating to the Colonial Laws Validity Act should be so drafted as not to extend to Canada unless the statute was enacted in response to such requests as are appropriate to an amendment of the British North America Act. It also seemed desirable to place on record the view that the sections should not subsequently be extended to Canada except by an act of the

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parliament of the United Kingdom enacted in response to such requests as are appropriate to an amendment of the British North America Act.

Any idea which the provinces might have had, that their consent might be required, vanishes when we read the last sentence to the effect that the only procedure required to be followed is such procedure as is necessary and appropriate to an amendment of the British North America Act. And that procedure provides only for an address by both houses of parliament, without reference at all to the provinces.

I thought my right hon. friend would have made clear what he regarded as the position of the provinces in relation to these matters, in view of what has taken place, and the appearance of importance which my right hon. friend has given the provinces particularly with respect to the last section of the statute. I agree with what has been already said, that the fact that we still go to the British parliament for amendments to the British North America Act does not in the least imply inferiority. It does not in any way qualify our equality of status, because we go to the British parliament by virtue of our own agreement. We are in exactly the same position in relation to the Colonial Stocks Act, to which my hon. friend referred. There is one case in which the right of disallowance is still permitted. That right is also given the British government by our own agreement.

I join with other hon. members in commending the legislation, in supporting the address, and in believing that it marks a most important milestone on the road of Canada's progress.

At six o'clock the house took recess.

After Recess

The house resumed at eight o'clock.

PRIVATE BILLS

CONSIDERED IN COMMITTEE—THIRD READINGS

Bill No. 50, respecting the Canadian Woodmen of the World.—Mr. Fraser (Northumberland).

Bill No. 60, for the relief of Florence Marshall.—Mr. Lennox.

Bill No. 74, respecting the Railway Employees Casualty Insurance Company.—Mr. Mercier (St. Henri).