

*Privy Council Appeals*

St. Lawrence-St. George. I do not know how old the hon. gentleman is, but probably I was discussing that question before the time when he was born.

Mr. BLACKMORE: I should not be at all surprised. I speak with all deference. I said I did not want to be mean, but just the same it is a striking coincidence. While I am not saying that it will not be in the interests of this country to abolish appeals to the privy council some day, yet there are grave considerations which ought to be reviewed before we make the decision to do so. In the first place, we should give public opinion, not only within Canada, but in Great Britain and in the rest of the world, time to adjust itself and solidify. I think every hon. member will realize the significance of what I say. Throughout a wide section of humanity importance will be attached to any such move. I am not sure that it is in the public interest that the move should be made now. Later on it may be. There exists to-day throughout Canada great confusion touching constitutional matters—one more reason why we should defer action on this question. I am, I think, just as appreciative of the work of the hon. member for St. Lawrence-St. George as is the hon. member for Selkirk (Mr. Thorson). I appreciate the good work he has done; I say here in his presence and before this house that I honour him as much as I honour any man in Canada. I reverence and respect him as a good man, one who is well informed and sincere. But at the same time we have to look at certain considerations. There exists in this country a wide diversity of opinion. While the hon. member for Jasper-Edson (Mr. Kuhl) was expressing views which are contrary to the ideas which we learned in our schools, and while I am not saying that I agree with him entirely, yet as sure as we are here these facts are leaking out and causing people to wonder. He said some most interesting things, which I was never taught when I was in school, and never taught to any class when I was teaching, but they are to be found in authorities which no one can question. I am finding out many things. There is a good deal of doubt in the minds of people because these things are just being discovered.

There is a great deal of dispute and controversy throughout this country as to the meaning and application of certain clauses of the British North America Act. Take one matter which has been exercising me tremendously. We say—and I stand open to correction if I am wrong—that the provinces have control over industry. I think that is in accordance with the British North America Act.

[Mr. Cahan.]

Now take as an example a canning factory. Suppose a man has \$100,000 which he invests in a canning factory, and he takes all his capital to get the factory built and equipped ready to operate. Then he has to have a line of credit of \$100,000 in order to operate his factory. To whom does he go for the line of credit? If he cannot get that line of credit he cannot run the factory. Has the province control of his getting that line of credit? If the province does not have control of his getting that credit, I ask any man or woman in this house whether the province has control of that industry.

Mr. CAHAN: Who says the province has control of industry?

Mr. BLACKMORE: I asked if it were not in the British North America Act; I think the province has control of industry, according to that act. Certainly the province has control of property and civil rights. I do not wish to get into the details of this question; I shall discuss those later on. This may be irrelevant, but it is a matter to be noticed, showing that the whole question of the British North America Act is not so simple as some people would suppose it to be. There is confusion in the minds of people, and really I am not sure that people generally throughout the country know what they do want. I have not found anyone who knows exactly what he wants. There are many people who will say that we want the British North America Act changed. Very well, I say; what change would you make? Immediately there is a surprised look on the person's face, and not very much assurance in the answer. If there is assurance in the answer I find there is very little value in it.

There is a growing conviction everywhere through Canada that the presently accepted allocation of powers between provinces and the dominion by the British North America Act does not sufficiently allow for the readjustments necessary to meet changing economic conditions. This is the reason for the stresses and strains. It is fundamental. Again, there is a vague doubt as to just what sort of constitution would be best for this country. I have heard some people say that if we could just scrap the British North America Act and get all the provinces together, we would be able to build up a new constitution. It is my humble opinion that if we scrapped the British North America Act and set about drawing up a new one, we would never get it finished, because we simply could not get the provinces to agree on the fundamental principles which would be involved in drafting