

ish North America Act. They cover several pages. I shall not take the time of hon. members to read them into the record, for they are in this public document which is available to anyone in the library of parliament. That is the story of how the act came to be passed. It was not an act which, as suggested this afternoon by the hon. member for Calgary West, ratified an agreement. It was an act which contained something substantially different from the resolutions which were the occasion for the legislation.

Mr. SMITH (Calgary West): Is that not an attribute of draftsmanship?

Mr. ST. LAURENT: Then there is nothing more than draftsmanship in what is being proposed to this house at this time. The principle that was agreed upon was that the people of the provinces would be represented in the central parliament in proportion to their population; clauses were drawn which experience has shown do not bring that about, and we are attempting to redraft the document so that it will, in fact, carry out what was agreed upon in substance.

Let us see what occurred after the passing of the statute. I shall not take very long to deal with it. Many hon. members, among others, the Minister of Fisheries (Mr. Bridges), have shown what was done in 1869 and what was done in 1871, when this very restriction than which nothing could be more foreign to the concept of John A. Macdonald was moved in the first parliament of the Canadian nation and turned down flat. Eighty years afterwards it is raised—I will not impute motives—in a form which would have the effect of destroying the concept of the Canadian nation and making the national parliament the mere creature or delegate of sovereign provincial states who would exercise their superintendence over its attempts to keep in step with the progress of Canada as a national entity.

This is something which is raising great objections, but how many times has it been done? In 1868 an act was passed for the admission of Rupert's land. In 1871 an amendment was passed to make sure that the new province could be established. In 1875 there was amendment to section 18 of the act. In 1886 there was an amendment with respect to representation. All these were done under administrations directed by the leaders of the party of which the Progressive Conservative party pretends now to be the heir, and for none of these amendments was the consent of the provinces sought.

In 1907 there was an increase in subsidies. That was discussed with the provinces, and one of them dissented vigorously from the suggestions that were agreed to by the others, but

[Mr. St. Laurent.]

notwithstanding its dissent the addresses were voted by both houses of parliament and the amendment was made.

Some hon. members have said that what was done in 1915 had all been gone into and agreed to by the provinces, but I happen to have referred to the sessional papers which contained the report of what took place at the provincial conference of 1913. It was just an inter-provincial conference without the federal government being represented. In sessional paper 119, of 1914, printed in volume 28 of sessional papers, at page 5, we find the following:

On the debate respecting representation of the provinces in the House of Commons, it was moved by the Hon. Mr. Fleming, seconded by the Hon. Mr. Matheson, that in the opinion of this conference the representation granted to the maritime provinces at the time they entered confederation should be restored and rendered irreducible.

This motion was withdrawn . . .  
It was moved by Hon. Mr. Fleming, seconded by Hon. Mr. Matheson:

That this conference would favour and request that an amendment be sought to the British North America Act providing an irreducible minimum in the representation of the maritime provinces, and that the irreducible number of representatives be as follows: for Nova Scotia, eighteen; for New Brunswick, thirteen; and for Prince Edward Island, six.

This motion was withdrawn . . .  
It was then moved by Hon. Mr. Matheson, seconded by Hon. Mr. Fleming:

That this conference having heard and considered the special claim of Prince Edward Island for the restoration to that province of its original six members in the House of Commons as a minimum, deems that it should receive the favourable consideration of the government and parliament of Canada.

A debate having arisen thereon, it was Resolved.—That this conference expresses the opinion that, not representing the provinces for the purposes of this matter of representation, it declines to take any action in regard to it.

That was all. I tried to get the debates which had also been produced as a part of the return, sessional paper 119A, which had not been ordered to be printed, but unfortunately it was one of the papers destroyed in the fire of 1916.

That being the situation, the provinces having said, "We are not going to take any responsibility with respect to that", the government of Sir Robert Borden introduced a motion for an address which was passed by the Commons and by the Senate for an amendment to the British North America Act. It is curious to note that it came up in the last days of the session. The Senate sought to amend the address by adding a provision that the amendment would not take effect during the life of the then existing parliament. The House of Commons refused to concur in that amendment; the Senate persisted in its amendment, and the matter was not further