

I should like to refer also to the address of the Minister of Justice (Mr. Lapointe), who referred to the words used by Sir Wilfrid Laurier, who said:

—it is the duty of everybody in this house and in this country to take confederation as we find it, with its good points and its blemishes, and carry it to the end of the principle upon which it was established.

Having before me such utterances from such sources, and knowing it is the desire of us all to safeguard the constitution of Canada, I ask myself this question: As a common member of this House of Commons would it not be well first to know exactly what we seek to amend? It seems to me that before we can proceed to make any amendment to our constitution it should be possible for us common members of this house to have before us what we may term a certified copy of the act we are being asked to amend. I have made certain inquiries and have been told by one whose authority cannot be questioned that in his opinion such a certified copy is not to be found in Canada to-day.

Mr. McLEAN (Melfort): Who is the authority?

Mr. PELLETIER: If my hon. friend will look up what I have said he will run across that authority.

Mr. McLEAN (Melfort): Who is the authority?

Mr. PELLETIER: I have no permission from that authority to say who he is.

Mr. LAPOINTE (Quebec East): Monsieur X.

Mr. PELLETIER: No, it is not Mr. X. However, be that as it may, I simply raise this point, because it seems to me that a matter of such grave importance as we have been led to believe it is certainly demands most careful consideration.

There is another important fact which I would like to point out. The first part of my remarks stands for what it is worth; it is not for me to give any legal opinion on that point. I leave it in the hands of the Minister of Justice; to my mind he is quite capable of protecting the interests of all the Canadian people. I simply give it to hon. members for what it is worth; possibly it may deserve some consideration. However I hold in my hand the report of the dominion-provincial conference of 1935, and I notice, under the heading Constitutional Questions, at page 37, the following:

This conference, in the interests of the dominion and of the provinces, is of the opinion:—

(a) That amendments to the British North America Act are now and subsequently may be necessary and imperative.

I agree with that clause. If the time comes that the British North America Act no longer serves the needs of the people of Canada then it should be amended so as to be of service to Canadians at large. That, to my mind, is one of the purposes of government. Then the next clause:

(b) That, as in the case of all the other self-governing dominions, Canada should have the power to amend the Canadian constitution provided a method of procedure therefor satisfactory to the dominion parliament and the provincial legislatures be devised.

(c) That the Minister of Justice convene at an early date a meeting of the appropriate officials of the dominion and of the provinces to prepare a draft of such method of procedure, to be submitted to a subsequent conference.

That, I understand, has already been done. But this clause follows:

(d) That a conference be held at an early date after such draft has been prepared to consider such a method of procedure.

This resolution is now brought before the house without the recommendation of the dominion-provincial conference being taken into consideration. There was recently a meeting of, in the opinion of the Minister of Justice, appropriate officials. I do not know what the results of their labours were, but I know they did not result in the calling of a conference, at an early date after such draft had been prepared, to consider such a method of procedure. But in view of the grave concern which has been expressed, not by myself—I do not regard myself as an authority—by the hon. member for St. Lawrence-St. George as well as by the late Sir Wilfrid Laurier, I simply ask myself this question: Is it a good thing to proceed with such an amendment before everything necessary is done and all those interested have been consulted?

We have also been told that as far as the resolution is concerned it is not of material importance at the present time because it does not mean any legislation just now; it is simply to seek power to obtain such legislation as might be necessary later on. The point is, however, that the first part of the resolution is perhaps the result of the demands of various provinces, but I have now the words of the Minister of Finance (Mr. Dunning) when he stated a few moments ago that the last part simply represents the idea of this government at the present time. There are two clauses which certainly do not represent the general opinion of all the provinces of Canada or of the people of Canada, and because they are both embodied in the same resolution it makes it very difficult to know how one should proceed.