

UNIVERSITY OF TORONTO
DEPARTMENT OF HISTORY

13 March, 1935.

Dear Frank,

I have been laid up with a cold and so failed to reply to your last draft on the amendment business.

I don't like the phraseology of the first clause which is not very good grammar since it runs- "by a majority vote of... and by a majority of the provinces". Would it be an improvement to say: "by a majority vote of the members of both Houses of the Dominion Parliament assembled in joint session, provided that the amendment is thereafter assented to by a majority of the provinces". The phrasing should make clear that the initiative is taken by the Dominion Parliament and that the Provinces have only the function of assent.

Then clause 4 could read: "Provincial ~~assent~~ shall be ascertained by a majority vote of the provincial legislature. In the Province of Quebec

the vote shall be... ". If this change were made, Clauses 3 and 4 should be interchanged.

Should there not also be added a clause stating that " a joint session of the two Houses of the Dominion Parliament for the purpose of considering amendment of this Act may be summoned whenever the Governor-General in Council shall see fit; and a joint session of the two Houses of the Quebec legislature for the purpose of considering amendment of this Act may be summoned whenever the Lieutenant-Governor in Council shall see fit". I should think that at present there is no power for summoning joint sessions. Also should the parliament and legislature be given power to make regulations for the procedure to be followed in such joint sessions ?

Frank H. Underhill

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