

which was being passed by the Imperial Parliament.

As the Parliament of Canada could not at the time pass concurrent legislation, the Government had to utilize clause 4 of the Statute of Westminster, which reads as follows:

No Act of Parliament of the United Kingdom passed after the commencement of this Act shall extend, or be deemed to extend, to a Dominion as part of the law of that Dominion, unless it is expressly declared in that Act that that Dominion has requested, and consented to, the enactment thereof.

Accordingly the Dominion Government passed an Order in Council delegating its powers to the Imperial Government and requesting the Imperial Parliament to pass the legislation in order that the sovereignty of George VI should be declared as well in Canada as in the British Isles. This was done, and, as will be seen by the British Act, the Dominion joins with Great Britain in its enactment. The preamble to that Act, which will be found in schedule 2 of the Bill, reads as follows:

Whereas His Majesty by His Royal Message of the tenth day of December in this present year has been pleased to declare that He is irrevocably determined to renounce the Throne for Himself and His descendants, and has for that purpose executed the Instrument of Abdication set out in the Schedule to this Act, and has signified His desire that effect thereto should be given immediately:

And Whereas, following upon the communication to His Dominions of His Majesty's said declaration and desire, the Dominion of Canada pursuant to the provisions of section four of the Statute of Westminster, 1931, has requested and consented to the enactment of this Act, and the Commonwealth of Australia, the Dominion of New Zealand, and the Union of South Africa have assented thereto.

Now the question has arisen whether, the Canadian Government having given that consent, it is necessary for the Dominion Parliament to pass supplementary legislation. It is necessary in order to comply with the express terms of the preamble of the Statute of Westminster. Let me quote it again, in part:

—it would be in accord with the established constitutional position of all the members of the Commonwealth in relation to one another that any alteration in the law touching the Succession to the Throne or the Royal Style and Titles shall hereafter require the assent as well of the Parliaments of all the Dominions as of the Parliament of the United Kingdom.

As will be observed, the scope of this Bill is limited to subsection 2 of section 1 of the British Act which affects the order of succession. It has been objected that this legislation is superfluous. I think we owe it to the declaration of the Statute of Westminster to assert our right to have the Parliament of Canada enact this measure.

Hon. Mr. DANDURAND.

I might discuss at length various other aspects of the question, but I believe honourable senators will be satisfied with this statement.

I may say that I was in Europe during the distressing moments when the question of the abdication of His former Majesty King Edward VIII was being discussed all over the world, and I was moved by the anxiety displayed by friends from other countries whom I met in Paris and Geneva, all admirers of the British monarchy, over the cruel situation which we had to face. At the same time I realized that the reputation of the British parliamentary system and of the Prime Minister of Great Britain, Mr. Baldwin, was enhanced to a very high degree by the manner in which that critical situation was met. When he made his statement in the House of Commons I heard on all sides expressions of admiration that only the Mother of Parliaments could give to the world such an example of dignity in dealing with a grave constitutional issue.

Some Hon. SENATORS: Hear, hear.

Hon. Mr. DANDURAND: With these few remarks I move the second reading of the Bill.

Right Hon. ARTHUR MEIGHEN: Honourable members, I do not rise to offer any opposition to the second reading. Before putting on record a few remarks as to this Bill, I want to express my gratification at the language which has fallen from the honourable leader of the Government (Hon. Mr. Dandurand) in respect of the admirably dignified and sympathetically correct method by which both the Government and the Parliament of Great Britain dealt with an embarrassing subject, pregnant possibly with great danger. I also take occasion to say that while, in my judgment, the Government of Canada erred as to matters of detail, nevertheless in substance it conducted the whole affair excellently. It acted as it should have acted. It was indeed fortunate, from the standpoint of this country, that the Government dealt with the subject in the way it did. I think it would have been an unfortunate rather than a happy event if the Government had decided that Parliament ought to be called to express itself in the premises. I may be forgiven if I add that had this occurred in 1920 or 1921, when very heavy responsibilities were mine, or in the period from 1930 to 1935, when those same responsibilities rested on the shoulders of another, very terrible criticism would, I fear, have been levelled at us for following exactly the same very proper course.